

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

PROPOSED REGULATORY LANGUAGE

Location of Offices and Wellness Evaluation Committee (WEC)

Changes to the regulatory language are shown in ~~single strikethrough~~ for deleted text and single underline for added text.

Amend section 2000 of article 1, amend section 2070 of article 7, and amend sections 2075, 2076, 2077, 2079, 2080, 2081, and 2082 of article 8 and repeal section 2085.4 of article 9 of division 20 of title 16 of the California Code of Regulations (CCR) as follows:

**ARTICLE 1.
GENERAL PROVISIONS**

§ 2000. Location of Offices.

The principal office of the Veterinary Medical Board is located at ~~2005 Evergreen Avenue~~1747 North Market Boulevard, Suite ~~2250~~230, Sacramento, California ~~95815~~95834.

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

**ARTICLE 7.
FEES**

§ 2070. Registration and Renewal Fees for Veterinarians, University License, Veterinary Premises, and ~~Diversion~~Wellness Program.

Pursuant to the provisions of Section 4905 of the code, the following fees are fixed by the board:

- (a) The application eligibility review fee for all examinations shall be \$350.00.
- (b) The fee for the veterinary law examination shall be \$100.00.

§ 2076. Criteria for Admission.

An applicant shall meet the following criteria for admission to the program:

- (a) The applicant shall be a veterinarian or registered veterinary technician licensed or registered in this state.
- (b) The applicant shall reside in California.
- (c) The applicant is found to abuse alcohol or other dangerous drugs in a manner which may affect the veterinarian's ability to practice veterinary medicine competently or the registered veterinary technician's ability to perform his or her duties competently.
- (d) The applicant shall have voluntarily requested admission to the program.
- (e) The applicant agrees to undertake any reasonable medical or psychiatric examinations necessary to evaluate the application for participation in the program.
- (f) The applicant cooperates with the program by providing medical information, disclosure authorizations, and releases of liability as may be necessary for participation in the program.
- (g) The applicant agrees in writing to cooperate with all elements of both the program and the individual treatment program designed by a ~~diversion~~wellness committee.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4866, Business and Professions Code.

§ 2077. Procedure for Review of Applicants.

- (a) An administrative physician shall act as a medical consultant to the program manager for the purpose of interviewing each applicant who requests admission to the program.
- (b) The program manager and the medical consultant will recommend such medical and psychiatric examinations by administrative physicians which may be necessary for determining the applicant's eligibility in the program and request such other information, authorization, and releases necessary for the program.
- (c) The program manager, medical consultant, and any administrative physician who examined the applicant shall each make a recommendation to the wellness committee whether the applicant should or should not be admitted to the program.

- (d) A ~~diversion~~wellness committee's decision on admission of an applicant to the program shall be final.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4866, Business and Professions Code.

§ 2079. Causes for Denial of Admission.

A ~~diversion~~wellness committee may deny an applicant admission to the program for any of the following reasons:

- (a) The applicant does not meet the requirements set forth in ~~§~~Section 2076.
- (b) The applicant has been subject to an adverse disciplinary decision by any state veterinary medical or registered veterinary technician licensing authority.
- (c) Formal complaints have been received by the Board which, after investigation, indicate that the applicant may have violated a provision of the laws governing the practice of veterinary medicine, Chapter 11 (commencing with Section 4800) of Division 2 of Business and Professions Code, excluding subsection (g)(1) of Section 4883 of the Code.
- (d) A ~~diversion~~wellness committee determines that the applicant will not substantially benefit from participation in the program or that the applicant's participation in the program creates too great a risk to the public health, safety, or welfare.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Sections 4860, 4866, and 4870, Business and Professions Code.

§ 2080. Causes for Termination from the Program.

A ~~diversion~~The wellness committee may terminate a veterinarian's or registered veterinary technician's participation in the program for any of the following reasons:

- (a) The applicant has successfully completed the treatment program prescribed by the ~~diversion~~wellness committee.
- (b) The ~~diversion~~wellness committee votes to terminate participation for one of the following causes:
- (1) The veterinarian or registered veterinary technician has failed to comply with the treatment program designated by the ~~diversion~~wellness committee.
- (2) Any cause for denial of an applicant in Section 2079.

- (3) The veterinarian or registered veterinary technician has failed to comply with any of the requirements set forth in Section 2076.
- (4) The ~~diversion~~wellness committee determines that the applicant has not substantially benefited from participation in the program or that the applicant's continued participation in the program creates too great a risk to the public health, safety, or welfare.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Sections 4860, 4866, 4867, and 4870, Business and Professions Code.

§ 2081. Notification of Termination.

Whenever any veterinarian or registered veterinary technician is terminated from the program for any reasons other than successful completion of the program, the ~~diversion~~wellness committee shall, within thirty (30) days, report such fact to the Board in writing. The ~~diversion~~wellness committee's written notification to the Board of a participant's termination from the program shall not include any confidential information as defined in Section 2082.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Sections 4860, 4866, 4870, and 4871, Business and Professions Code.

§ 2082. Confidentiality of Records.

- (a) All Board, ~~Diversion~~wellness committee, and Program records relating to a veterinarian's or registered veterinary technician's application to the program shall be kept confidential pursuant to Section 4871 of the Code, including all information provided by the applicant, or by an examining physician, to the program manager, a medical consultant, members of a ~~diversion~~wellness committee, or other employees of the Board in connection with the program. Such records shall be purged when a veterinarian's or registered veterinary technician's participation in the program is either completed or terminated.
- (b) All other information or records received by the Board prior to the acceptance of the applicant into the program, or which do not relate to the veterinarian's or registered veterinary technician's application into the program, or which do not relate to the veterinarian's or registered veterinary technician's participation in the program, shall not be maintained in a confidential manner as required by Section 4871 of the Code and may be utilized by the Board in any disciplinary or criminal proceedings instituted against the veterinarian or registered veterinary technician.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4871, Business and Professions Code.

**ARTICLE 9.
CONTINUING EDUCATION: VETERINARIAN**

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.~~