



## MEMORANDUM

<b>DATE</b>	July 17, 2019
<b>TO</b>	Veterinary Medical Board
<b>FROM</b>	Jessica Sieferman, Executive Officer
<b>SUBJECT</b>	<b>Agenda Item 9. Discussion and Possible Action Regarding Potential Legislation Related to Business and Professions Code Section 4827 and Animal Shelter Services</b>

During the Board's April 2019 meeting, the Board approved the MDC's proposed amendments to Sections 2035.5 and 2030.6, Article 4, Division 20, Title 16 of the California Code of Regulations (CCR) Regarding Minimum Standards and Protocols for Shelter Medicine

Shortly thereafter, the Board was inundated with emails and letters from California Animal Welfare Association and various shelters requesting the Board rescind the proposal and/or postpone any action pertaining to the proposed regulations, pending input from California Animal Welfare and the impacted cities and counties that will be impacted.

As demonstrated in the attached email, staff clarified the proposal, existing law, and all past and future public comment opportunities.

In response, California Animal Welfare Association contacted Senate Business, Professions and Economic Development Committee (BP&ED) and the Governor's Office for assistance in passing the attached legislative proposal.

The Governor's Office requested DCA discuss this issue to determine if a solution/compromise can be reached. In addition, Senate BP&ED may convene a stakeholder meeting during summer recess to continue the conversation.

**Action Requested:**

Please review and provide input on the attached proposed legislative language.

**Attachments:**

1. Email Response to Department of Public Health, San Bernardino County
2. Proposed legislative language

**From:** [Sieferman, Jessica@DCA](mailto:Sieferman_Jessica@DCA)  
**To:** "Cronin, Brian"  
**Cc:** [Singh, Moneel@DCA](mailto:Singh_Moneel@DCA); [Drummond, Amanda@DCA](mailto:Drummond_Amanda@DCA); [Jill Tucker](#); [Dr. Noland](#)  
**Subject:** RE: Veterinary Medical Board Request for Reconsideration - CCR 2035.5 and 2030.6  
**Date:** Friday, May 31, 2019 2:53:00 PM  
**Attachments:** [image009.png](#)  
[image010.png](#)  
[image013.png](#)  
[image019.png](#)  
[image021.png](#)

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Hi, Brian.

Thank you for your interest in the proposed regulations for animal shelter facility minimum standards.

The Board encourages and appreciates input from all those affected by Board regulations. Public participation is crucial when making any regulatory changes, which is why the Board held 15 public meetings over the past five years discussing the proposed regulations for animal shelter facilities. During the Multidisciplinary Committee (MDC) meetings, multiple members from the public and industry participated, including Erica Hughes from California Animal Welfare Organization. The meeting dates, webcasts, meeting materials, and meeting minutes of the MDC's and Board's discussions of the animal shelter facilities proposal are provided below for your reference.

### **Animal Shelter Facility Minimum Standards Discussions**

<b><u>2015</u></b>	<b><u>2016</u></b>	<b><u>2017</u></b>	<b><u>2018</u></b>	<b><u>2019</u></b>
<b><u>MDC</u></b>	<b><u>MDC</u></b>	<b><u>MDC</u></b>	<b><u>MDC</u></b>	<b><u>MDC Meeting</u></b>
<b><u>Meetings</u></b>	<b><u>Meetings</u></b>	<b><u>Meetings</u></b>	<b><u>Meetings</u></b>	<b><u>Meetings</u></b>
July 20 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul>	January 19 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul> April 19 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul> July 19 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul> October 18 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul>	January 17 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul> April 18 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• No Materials</li> <li>• <a href="#">Minutes</a></li> </ul> July 25 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul> October 17 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul>	February 20 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul> May 22 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul> August 28 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul> November 13 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul>	January 22 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• <a href="#">Minutes</a></li> </ul> <b><u>VMB Meeting</u></b> April 17 <ul style="list-style-type: none"> <li>• <a href="#">Webcast</a></li> <li>• <a href="#">Materials</a></li> <li>• Minutes pending Board approval</li> </ul>

Although the proposed regulations have been approved by the Board, the public can still provide feedback during the 45-day comment period for the proposed regulations that occurs after the notice is published on the Board's website and distributed to the Board's interested parties list. If the Board receives any adverse comments, the public may provide further input during a public Board meeting. The public comment period and the Board meeting will most likely not occur until early next year, as there are many more steps before it gets to that point.

The rulemaking process is lengthy, intentionally transparent, and governed by the Administrative Procedures Act (APA). As the Board has provided ample opportunity over the past five years for public input and additional opportunities to comment on the proposed regulations are forthcoming, the Board is unable to postpone the rulemaking process for the proposed regulations.

It is important to note that all premises where veterinary medicine, dentistry, surgery, and the various branches thereof is being practiced must be registered with the Board. Business and Professions Code section 4826 provides the acts that constitute the practice of veterinary medicine.

Accordingly, if veterinary medicine is being practiced at an animal shelter facility, the facility is currently subject to premises registration and must comply with the applicable minimum facility standards set forth in California Code of Regulations, title 16, sections 2030 through 2030.3. The Board recognizes that animal shelters may struggle with some of the existing minimum standard requirements, so the Board is proposing this rulemaking to make it easier for animal shelters that provide veterinary medical services to comply.

If you have not already done so, I recommend you subscribe to our interested parties list [here](#). That will ensure you receive notifications of proposed regulations, public comment notices, meeting notices, and more. If you have any additional questions about the rulemaking process, please contact our administrative analyst, Amanda Drummond.

Thank you,



**Jessica Sieferman**

**Executive Officer**

Veterinary Medical Board  
Department of Consumer Affairs  
1747 N. Market Blvd, Suite 230  
Sacramento, CA 95834  
Direct: (916) 515-5222



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**From:** Cronin, Brian <BCronin@dph.sbcounty.gov>

**Sent:** Friday, May 24, 2019 11:54 AM

**To:** Sieferman, Jessica@DCA <Jessica.Sieferman@dca.ca.gov>

**Cc:** Singh, Moneel@DCA <Moneel.Singh@dca.ca.gov>; Drummond, Amanda@DCA <Amanda.Drummond@dca.ca.gov>; Jill Tucker <jill@calanimals.org>  
**Subject:** RE: Veterinary Medical Board Request for Reconsideration - CCR 2035.5 and 2030.6

Good afternoon, Jessica,

Thank you for your response. I have copied Jill Tucker, CEO with the California Animal Welfare Association (CalAnimals) on this communication. At this time, I respectfully request that the VMB consider postponing any action pertaining to the proposed regulations, pending input from CalAnimals and the Cities and Counties that will be affected by the actions taken by the VMB.

Historically, when a significant regulatory action is considered at the state level, I would seek input from those who will be the most affected to make sure they have the opportunity to comment and be engaged.

Please advise if you feel the request to postpone any further action by the VMB regarding animal shelter regulations can be granted at this time.

Thank you for your consideration of this request.

### **Brian Cronin**

Chief of Animal Care and Control  
**Department of Public Health**  
Phone: 909-387-9152  
Fax: 909-387-0125  
351 North Mountain View Avenue  
3<sup>rd</sup> Floor, Room 302  
San Bernardino, CA 92415-0003



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**From:** Sieferman, Jessica@DCA [<mailto:Jessica.Sieferman@dca.ca.gov>]  
**Sent:** Friday, May 24, 2019 9:48 AM  
**To:** Cronin, Brian <[BCronin@dph.sbcounty.gov](mailto:BCronin@dph.sbcounty.gov)>  
**Cc:** Singh, Moneel@DCA <[Moneel.Singh@dca.ca.gov](mailto:Moneel.Singh@dca.ca.gov)>; Drummond, Amanda@DCA <[Amanda.Drummond@dca.ca.gov](mailto:Amanda.Drummond@dca.ca.gov)>  
**Subject:** RE: Veterinary Medical Board Request for Reconsideration - CCR 2035.5 and 2030.6

Good morning, Brian.

Thank you for your email and bringing your concerns to our attention. Currently, if animal shelters are providing vaccinations, deworming, medications etc. in the shelters, premises registrations would be required (BPC § [4826](#) and § [4853](#)). Your request to add an animal shelter exception under BPC § [4827](#) would require legislation. To clarify, are you requesting the Board consider a legislative change *in lieu of* the proposed regulatory amendments?



**Jessica Sieferman**  
**Executive Officer**

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**From:** Cronin, Brian <[BCronin@dph.sbcounty.gov](mailto:BCronin@dph.sbcounty.gov)>  
**Sent:** Thursday, May 23, 2019 2:09 PM  
**To:** Drummond, Amanda@DCA <[Amanda.Drummond@dca.ca.gov](mailto:Amanda.Drummond@dca.ca.gov)>  
**Cc:** Singh, Moneel@DCA <[Moneel.Singh@dca.ca.gov](mailto:Moneel.Singh@dca.ca.gov)>; Sieferman, Jessica@DCA <[Jessica.Sieferman@dca.ca.gov](mailto:Jessica.Sieferman@dca.ca.gov)>  
**Subject:** RE: Veterinary Medical Board Request for Reconsideration - CCR 2035.5 and 2030.6

Good afternoon Ms. Drummond,

Thank you for providing the below response. The concerns presented pertain to the interpretation or definition of “providing animal shelter medicine” in a fixed facility. When this topic was originally presented several years ago, it was the opinion of members of the Veterinary Medical Board (VMB) that all animal shelters were providing veterinary medicine by vaccinating animals upon admission, providing deworming medication for parasite control, providing medications that were obtained through a veterinarian who examined the animal patient at a private veterinary clinic, etc. In my opinion, the proposed regulations still fail to address if an animal shelter would be required to obtain a Premises Permit to provide vaccinations, deworming, medications dispensed by a private veterinarian, etc.

Many individuals who have reviewed the proposed regulations and who have followed this dialogue over the past several years, still believe further clarification is required to define when an animal shelter is providing veterinarian medicine at a fixed facility to avoid any misunderstanding or misinterpretation.

In reviewing the practice act, I believe this concern could be easily addressed under Business and Professions Code section 4827 Practice Exceptions. An additional subsection can be added to address what specific functions are allowed within an animal shelter setting, without the facility requiring a Premises Permit.

I have attached three (3) letters authored by the California Animal Welfare Association (CalAnimals) for your reference, which touch upon the concerns mentioned herein along with other concerns previously presented to the VMB for your review.

If you should have any questions pertaining to this response, please feel free to contact me at this email address.

## Brian Cronin

Chief of Animal Care and Control  
**Department of Public Health**  
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351 North Mountain View Avenue  
3<sup>rd</sup> Floor, Room 302  
San Bernardino, CA 92415-0003



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**From:** Drummond, Amanda@DCA [<mailto:Amanda.Drummond@dca.ca.gov>]

**Sent:** Thursday, May 23, 2019 11:13 AM

**To:** Cronin, Brian <[BCronin@dph.sbcounty.gov](mailto:BCronin@dph.sbcounty.gov)>

**Cc:** Singh, Moneel@DCA <[Moneel.Singh@dca.ca.gov](mailto:Moneel.Singh@dca.ca.gov)>; Sieferman, Jessica@DCA <[Jessica.Sieferman@dca.ca.gov](mailto:Jessica.Sieferman@dca.ca.gov)>

**Subject:** RE: Veterinary Medical Board Request for Reconsideration - CCR 2035.5 and 2030.6

Good morning Mr. Cronin,

Thank you for your letter addressing your concerns with the proposed minimum standards for shelter medicine. I have reviewed your letter, but wanted to reach out to you for further clarification. In the proposed language (please see attached), the first paragraph of CCR section 2030.6 states the following:

“For purposes of these regulations, “animal shelter facility” shall mean a building, or part of a building, where veterinary medicine and its various branches are being practiced on stray, unwanted, or seized animals that are deposited with or impounded by a privately or publicly operated agency or organization. An animal shelter facility shall meet the following standards”

What this means is that the subsections (a) – (s) in CCR section 2030.6 are only applicable to shelters which provide veterinary services. If a shelter is not providing veterinary services, then this regulation would not be applicable. The Board is specifically trying to address shelters that are providing veterinary services to animals and develop regulations for minimum standards for those shelters.

In light of this, do you still have concerns regarding the proposed regulations?

If so, please let me know and I will communicate with my Executive Officer further and discuss presenting these concerns to the Board.

Thank you,

## Amanda Drummond

Administrative Programs Coordinator, Veterinary Medical Board

1747 N. Market Blvd, Suite 230 | Sacramento, CA 95834

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**From:** VMB@DCA

**Sent:** Friday, May 17, 2019 12:06 PM

**To:** Drummond, Amanda@DCA <[Amanda.Drummond@dca.ca.gov](mailto:Amanda.Drummond@dca.ca.gov)>

**Cc:** Singh, Moneel@DCA <[Moneel.Singh@dca.ca.gov](mailto:Moneel.Singh@dca.ca.gov)>

**Subject:** FW: Veterinary Medical Board Request for Reconsideration - CCR 2035.5 and 2030.6

**From:** Cronin, Brian <[BCronin@dph.sbcounty.gov](mailto:BCronin@dph.sbcounty.gov)>

**Sent:** Friday, May 17, 2019 11:54 AM

**To:** VMB@DCA <[VMB@dca.ca.gov](mailto:VMB@dca.ca.gov)>

**Subject:** Veterinary Medical Board Request for Reconsideration - CCR 2035.5 and 2030.6

Good afternoon,

On behalf of the County of San Bernardino, Department of Public Health, Animal Care and Control Division, attached please find a request for reconsideration for the regulations approved by the California Veterinary Medical Board on April 17, 2019. Specifically, sections 2035.5 and 2030.6 should be repealed due to the significant impacts that will result from implementation of the referenced code sections.

Your consideration of this request is appreciated.

Respectfully,

**Brian Cronin**

Chief of Animal Care and Control

**Department of Public Health**

Phone: 909-387-9152

Fax: 909-387-0125

351 North Mountain View Avenue

3<sup>rd</sup> Floor, Room 302

San Bernardino, CA 92415-0003



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**BUSINESS AND PROFESSIONS CODE - BPC**  
**DIVISION 2. HEALING ARTS [500 - 4999.129]**  
( Division 2 enacted by Stats. 1937, Ch. 399. )

**CHAPTER 11. Veterinary Medicine [4800 - 4917]**  
( Chapter 11 repealed and added by Stats. 1937, Ch. 933. )

**ARTICLE 2. Practice Provisions [4825 - 4831]**  
( Article 2 added by Stats. 1937, Ch. 933. )

**4827.**

Nothing in this chapter prohibits any person from:

(a) Practicing veterinary medicine as a bona fide owner of one's own animals. This exemption applies to the following:

(1) The owner's bona fide employees.

(2) Any person assisting the owner, provided that the practice is performed gratuitously.

(b) Lay testing of poultry by the whole blood agglutination test. For purposes of this section, "poultry" means flocks of avian species maintained for food production, including, but not limited to, chickens, turkeys, and exotic fowl.

(c) Making any determination as to the status of pregnancy, sterility, or infertility upon livestock, equine, or food animals at the time an animal is being inseminated, providing no charge is made for this determination.

(d) Administering sodium pentobarbital for euthanasia of sick, injured, homeless, or unwanted domestic pets or animals without the presence of a veterinarian when the person is an employee of an animal control shelter and its agencies or humane society and has received proper training in the administration of sodium pentobarbital for these purposes.

*(Amended by Stats. 1999, Ch. 83, Sec. 5. Effective January 1, 2000.)*

(e) Administer preventative vaccinations, excluding rabies vaccinations, to any stray, injured, homeless, or unwanted domestic pets or animals without the presence of a veterinarian when the person is an employee of an animal control shelter or its agencies or humane society and has received proper training in the administration of the preventative vaccination.

*(Thought: document on impound card vaccination given)*

*(Would allow shelters to continue to vaccinate animals upon intake)*

(f) Administer non-prescription deworming medications to any stray, injured, homeless, or unwanted domestic pets or animals without the presence of a veterinarian when the person is an employee of an animal control shelter or its agencies or humane society and has received proper training in the administration of the non-prescription deworming medications.

*(Thought: document on impound card dewormer given)*

*(Would allow shelter to continue to treat animals in their care for parasites)*

(g) Administer medication prescribed by a veterinarian, licensed in the State of California, to any stray, injured, homeless, or unwanted domestic pets or animals without the presence of a veterinarian when the person is an employee of an animal control shelter or its agencies or humane society and has received a written treatment plan and has a dispensing protocol in place for the tracking of dispensed prescribed medication.

*(Thought: see attached sample page of treatment record)*

*(Would allow a shelter to continue care as directed by a licensed vet at the same level of care an owner would in a home setting. Would require shelter to document treatment / on-going care provided per written directive from the vet.)*

(h) Administer wound care follow up (*changing of bandages/ wraps*) as directed by a veterinarian, licensed in the State of California, to any stray, injured, homeless, or unwanted domestic pets or animals without the presence of a veterinarian when the person is an employee of an animal control shelter or its agencies or humane society and has received a written treatment plan and has a wound care protocol in place for the tracking of care provided.

*(Thought: see attached sample page of treatment record)*

*(Example that comes to mind: dog is involved in a fight with another animal. Vet bandages/wraps wound and directs bandage/wrap to be changed in 3 days. Releases dog back to shelter.*

*Would allow shelter to change dressing without having to transport animal back to vet. Documentation of dressing change would be required, but could be tracked on the attached treatment record example.*

**California Code of Regulations**  
**Title 16. Professional and Vocational Regulations**  
**Division 20. Veterinary Medical Board**

PROPOSED LANGUAGE

Proposed amendments to the regulatory language are shown in single underline for new text and ~~single strikethrough~~ for deleted text.

{Text in brackets indicates the existing CCR section/subsection on which the language is based.}

**CCR 2030.6. Minimum Standards – Animal Shelter Medicine in Fixed Facility**

For purposes of these regulations, “animal shelter facility” shall mean a building, or part of a building, where veterinary medicine and its various branches are being practiced on stray, unwanted, or seized animals that are deposited with or impounded by a privately or publicly operated agency or organization. An animal shelter facility shall meet the following standards:

- (a) All instruments, apparatus, and apparel shall be kept clean and sanitary at all times. **{2030}**
- (b) Indoor lighting for halls, wards, reception areas, and examining and surgical rooms shall be adequate for their intended purpose. **{2030 (a)}**
- (c) Fire precautions shall meet the requirements of local and state fire prevention codes. **{2030 (f)(1)}**
- (d) The facility, temperature, and ventilation shall be maintained so as to assure the comfort of all patients. **{2030 (f)(2)}**
- (e) The floors, table tops, and counter tops in areas where animals are being treated shall be made of a material suitable for regular disinfecting and cleaning and shall be cleaned and disinfected regularly. **{2030 (g)(7)}**
- (f) The animal shelter facility shall have a reception area or office. **{2030(b)}**
- (g) The animal shelter facility shall have an examination room separate from other areas of the facility. **{2030(c)}**
- (h) Current veterinary reference materials shall be readily available at the facility. **{2030(f)(9)}**
- (i) All drugs and biologicals shall be stored and maintained according to the manufacturer’s recommendations and administered, prescribed, and dispensed in compliance with state and federal laws. **{2030(f)(6)}**
- (j) The animal shelter facility shall have the ability to provide diagnostic radiological services either on the premises or through outside services. Radiological procedures shall be conducted in accordance with Health and Safety Code standards. **{2030 (f)(4)}**
- (k) The animal shelter facility shall have the ability to provide clinical pathology and histopathology diagnostic laboratory services either on the premises or through outside services. **{2030 (f)(5)}**
- (l) The animal shelter facility shall have appropriate drugs, including oxygen, and equipment to provide immediate emergency care. **{2030 (f)(12)}**

- (m) The disposal of waste material shall comply with all applicable federal, state, and local laws and regulations. {2030 (f)(3)}
- (n) If animals are housed or retained in the animal shelter facility for treatment, the following shall be provided: {2030 (d)}
- (1) Compartments or exercise runs or areas for animals shall be consistent with husbandry standards and shall be comfortable, sanitary, and provide for effective separation of animals and waste products. {2030 (d)(1)}
  - (2) Effective separation of known or suspected contagious animals. {2030 (d)(2)}
  - (3) When medically, safely, and/or species appropriate for a given species, where animals are kept on the veterinary premises for 24 hours or more, the animals shall be provided with an opportunity for proper exercise. Compliance with this paragraph may be achieved by the use of exercise runs/areas or by providing the animal with the opportunity for outdoor walks. {2030.1 (a)}
- (o) When the facility is closed, a sign shall be posted and visible outside the primary entrance with a telephone number and location where emergency care is available. An answering machine or service shall be used to notify the public when the facility will be re-opened and where after-hours emergency care is available. If no after-hours emergency care is available, full disclosure shall be provided to the public prior to rendering services. {2030 (e)}
- (p) Anesthetic equipment in accordance with the procedures performed shall be maintained in proper working condition and available at all times. {2030 (f)(10)}
- (q) Sanitary methods for the disposal of deceased animals shall be provided. {2030 (f)(7)}
- (r) If aseptic surgery is performed, the following shall be provided: {2030 (g)}
- (1) A room, separate and distinct from all other rooms, shall be reserved for aseptic surgical procedures that require aseptic preparations. A veterinarian may perform emergency aseptic surgical procedures in another room when the room designated for aseptic surgery is occupied or temporarily unavailable. {2030 (g)(1)}
  - (2) Storage in the surgery room shall be limited to items and equipment normally related to aseptic surgery and surgical procedures. Equipment not normally related to surgery and surgical procedure includes, but is not limited to, equipment used for dental prophylaxis, autoclaves, and non-surgical radiographic equipment. {2030 (g)(2)}
  - (3) Open shelving is prohibited in the surgical room. {2030 (g)(3)}
  - (4) The surgical room shall not contain a functional sink with an open drain. {2030 (g)(4)}
  - (5) Surgery room doors shall be able to be fully closed, fill the entire door space, be made of a material suitable for regular disinfecting and cleaning, and be cleaned and disinfected regularly, and not provide access from outside the facility when aseptic surgery services are provided. {2030 (g)(5)}
  - (6) The surgery room shall be well-lighted, have equipment for viewing radiographs, and have effective emergency lighting with a viable power source. {2030 (g)(6)}
  - (7) Surgical instruments and equipment shall be:
    - a. Adequate for the type of surgical procedures performed. {2030 (g)(8)(A)}

- b. Sterilized as required by the surgical procedure performed and instruments used. {2030 (g)(8)(B)}
- (8) In any sterile procedure, a separate sterile pack shall be used for each animal. {2030 (g)(9)}
- (9) All instruments, packs, and equipment shall be sterilized and have an indicator that reacts to and verifies sterilization. {2030 (g)(10)}
- (10) The following attire shall be required for aseptic surgery: {2030 (g)(11)}
  - (A) Each member of the surgical team shall put on an appropriate sanitary cap and sanitary mask that covers his or her hair and mouth, nose, and any facial hair, except for eyebrows or eyelashes. All members of the surgical team who will be handling the instruments or touching the surgical site shall wear sterilized surgical gowns with long sleeves and sterilized gloves. {2030 (g)(11)(A)}
  - (B) Ancillary personnel in the surgery room shall wear clean clothing, footwear, sanitary cap, and mask. {2030 (g)(11)(B)}
- (s) When performing clean surgery, the instruments used to perform such surgery shall have been sterilized, and the surgeon(s) and ancillary personnel shall wear appropriate apparel. {2030 (h)} For purposes of this subsection, “clean surgery” shall mean the performance of a surgical procedure for the treatment of a condition and under circumstances that, consistent with the standards of good veterinary medicine, do not warrant the use of aseptic surgical procedures. {2030 (h)}

Note: Authority cited: Sections 4808 and 4854, Business and Professions Code. Reference: Sections 4854 and 4883, Business and Professions Code.

**CCR Section 2035.5. Duties of Supervising Veterinarian and Animal Health Care Tasks for R.V.T., VACSP Holder, and Veterinary Assistant in Animal Shelter Setting**

- (a) Notwithstanding subsection (c) of section 2035 and pursuant to subdivisions (a) and (b) of section 4840 of the code, limited medical care may be provided in a shelter setting by an R.V.T., VACSP holder, or veterinary assistant for the specific purpose of controlling infectious and zoonotic disease, controlling acute pain, and preventing environmental contamination if all the following are met:
  - (1) The supervising veterinarian has direct knowledge of the animal population and examines the animal(s) at such time as good veterinary medical practice requires consistent with the particular delegated animal health care tasks.
  - (2) The supervising veterinarian establishes written orders for:
    - (A) The indirect supervision of an R.V.T., VACSP holder, or veterinary assistant for vaccinations and prophylactic control of internal parasites and external parasites on intake.
    - (B) The indirect supervision of an R.V.T. for the treatment of clinical conditions based on an animal’s symptoms.
    - (C) The direct supervision of a VACSP holder or veterinary assistant by an R.V.T. for the treatment of clinical conditions based on an animal’s symptoms.

- (3) Treatment rendered under paragraph (2) may be continued only under the direction of a licensed veterinarian.
- (b) Emergency animal care may be rendered by an R.V.T. pursuant to section 2069.
- (c) An R.V.T., VACSP holder, or veterinary assistant shall not diagnose, perform surgery, or prescribe pursuant to section 4840.2 of the code.
- (d) The supervising veterinarian shall maintain whatever physical presence is reasonable within the facility to ensure that the requirements in subsections (a) through(c) are met.
- (e) Animals that have been adopted and returned to the shelter by the owner for treatment of a medical condition shall be examined by a veterinarian prior to treatment or dispensing medication pursuant to section 2032.1, unless the care is continued treatment of an existing medical condition prior to the animal being adopted and the R.V.T. is following the treatment protocol established by the veterinarian.
- (f) For animals surrendered to a shelter with valid prescription medication, an R.V.T., VACSP holder, or veterinary assistant may continue administration of the prescription medication prior to veterinarian examination.
- (g) Rabies vaccines may be administered to an owned animal upon redemption from an animal shelter and pursuant to the direct order, written order, or telephonic order of a veterinarian licensed in this state.

Note: Authority cited: Sections 4808 and 4836, Business and Professions Code. Reference: Sections 4836, 4836.1, and 4840, Business and Professions Code.