



MEMORANDUM

DATE	October 10, 2019
TO	Veterinary Medical Board
FROM	Amanda Drummond, Administrative Programs Coordinator
SUBJECT	Agenda Item 15.A Status Update on Pending Regulations

The Veterinary Medical Board (Board) currently has 16 regulatory packages that are pending the regulatory process. 12 of those packages have been submitted and are in various stages of the initial or final phase, as identified on the attached document. The remaining 4 packages are pending development from the regulations coordinator before submission or are pending Board approval.

Changes since the [July 2019](#) Board meeting include the following:

- The **Consumer Protection Enforcement Initiative (CPEI)** regulatory package was withdrawn on 08/02/2019 and an addendum was published with a 15-day notice on [08/21/2019](#) following comments by the Office of Administrative Law (OAL). No comments were received during this time period. The addendum to the package was submitted to the Department of Consumer Affairs (DCA) on 09/09/2019. The package is with Business, Consumer Services, and Housing Agency (Agency) as of 09/24/19. The package must be approved by OAL by 03/08/2020.
- The final regulatory package for **Telemedicine** was submitted to DCA effective 08/05/2019 and is with Agency as of 09/03/2019. The package must be approved by OAL by 05/17/2020.
- The final regulatory package for **Substantially Related Criteria Regarding Criminal Convictions** was submitted to DCA effective 08/15/2019 and is with Agency as of 08/28/2019. The package must be approved by OAL by 07/01/2020.
- The **Disciplinary Guidelines, Veterinary Technician Education, Animal Physical Rehabilitation, and RVT Emergency Animal Care** initial regulatory packages have moved out of budgets and are with DCA Legal Affairs.
- The Board approved the language for the **Veterinary Student Exemption/RVT Exam Eligibility** regulatory package at the [07/17/2019](#) meeting and the package is pending development from the regulations coordinator before submission to DCA.

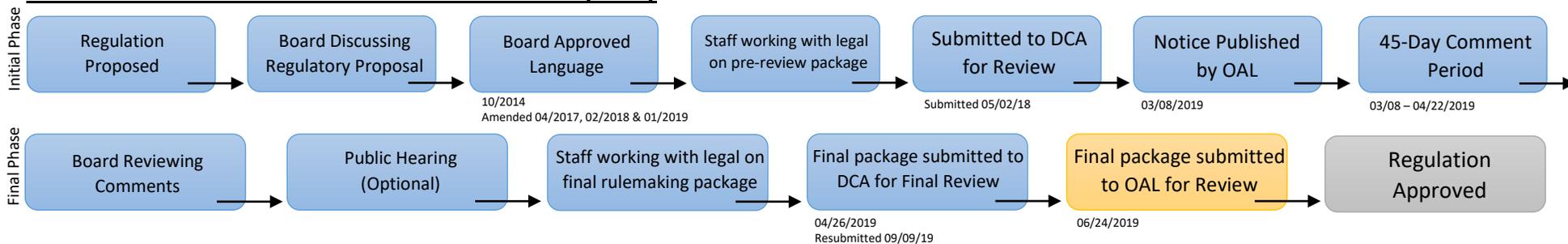
- The Board determined to proceed with trigger 1 for the **Uniform Standards for Abuse** at the 09/12/2019 Teleconference and is reviewing the proposed language at the October 2019 meeting (to be discussed in agenda item 8).
- The **Drug Compounding** regulatory package has been pulled back from the initial review process and returned to the Board for additional review (to be discussed in agenda item 15.B at the October 2019 meeting) due to necessary changes.

Attachments:

1. October 2019 Status of Pending VMB Regulations – Updated September 25, 2019

Status of Pending VMB Regulations

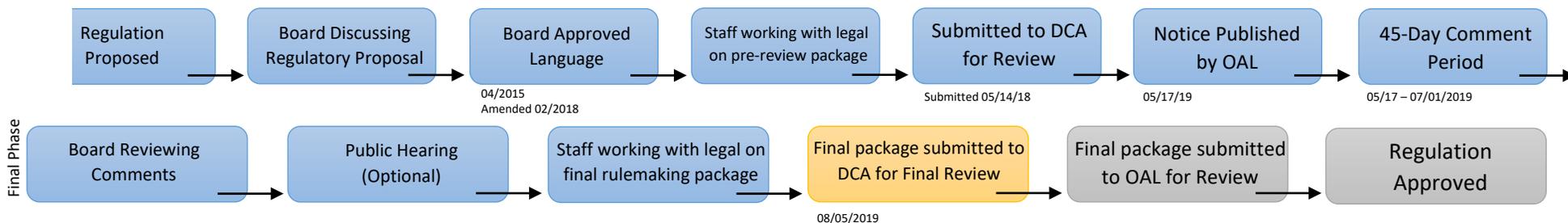
Consumer Protection Enforcement Initiative (CPEI)



CCR Section: [2003](#), [2017](#), [2042](#)

Notes: The CPEI rulemaking package was originally submitted through DCA for review in 07/2017, but due to recommendations received from Legal Affairs, the package was returned to the Board and amendments were made to the proposed language effective [02/2018](#). The rulemaking package was re-submitted to DCA for review effective 05/02/2018. Comments and recommendations were received from Agency and the Board amended the proposed language at the [01/2019](#) meeting. The package was noticed by OAL on [03/08/2019](#) and the 45-day comment period closed on 04/22/2019. The final rulemaking package was submitted to OAL for review on 06/24/2019. Due to comments received from OAL, this package was withdrawn on 08/02/2019. An addendum to the Initial Statements of Reasons was submitted and a [15-day notice](#) was published on 08/21/2019 and the comment period closed on 09/05/2019. The addendum to the package was resubmitted to DCA on 09/09/19. The package is with Agency as of 09/24/2019.

Telemedicine

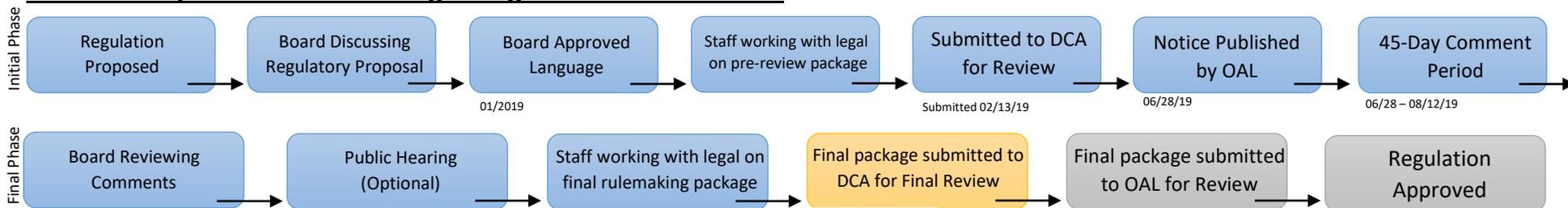


CCR Section: [2032.1](#)

Notes: The Telemedicine proposed language was approved in [04/2015](#) and then amended in [02/2018](#). The rulemaking package has been submitted to DCA for review effective 05/14/2018. The package was noticed by OAL on [05/17/2019](#) and the 45-day comment period closed on 07/01/2019. The final rulemaking package was submitted to DCA effective 08/05/2019. The package is with Agency as of 09/03/2019.

Status of Pending VMB Regulations

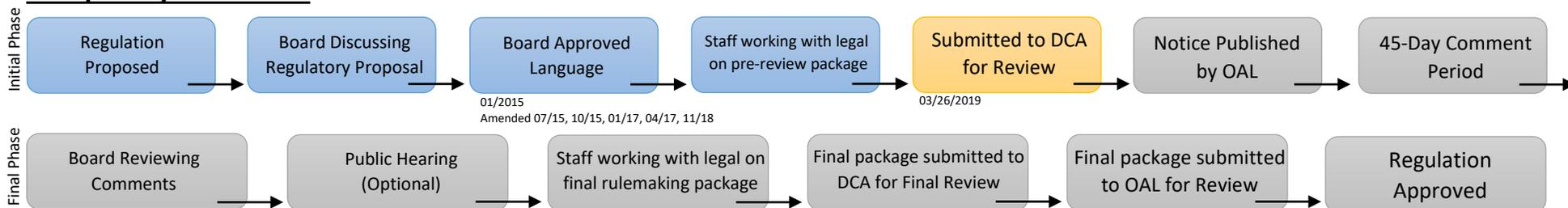
Substantially Related Criteria Regarding Criminal Convictions



CCR Section: [2040](#) and [2041](#)

Notes: This regulation was approved by the Board at the [01/2019](#) meeting. This regulatory proposal is mandated by [AB 2138](#) (Chiu, Chapter 995, Statutes of 2018) and must be implemented by 07/01/2020. The package was submitted to OAL on 06/17/19 and noticed on [06/28/19](#). The 45-day comment period closed on 08/12/19. The final rulemaking package was submitted to DCA effective 08/15/2019. The package is with Agency as of 08/28/2019.

Disciplinary Guidelines

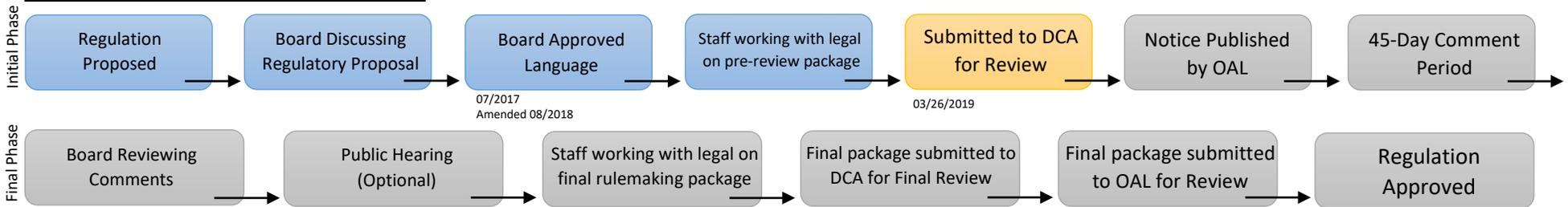


CCR Section: [2006](#)

Notes: The Disciplinary Guidelines rulemaking package proposed language was approved in [01/2015](#) and then amended [07/2015](#), [10/2015](#), [01/2017](#), [04/2017](#) and [11/2018](#). The rulemaking package has been submitted to DCA on 03/26/2019 and the package is with Legal Affairs as of 08/16/2019.

Status of Pending VMB Regulations

Veterinary Technician Education

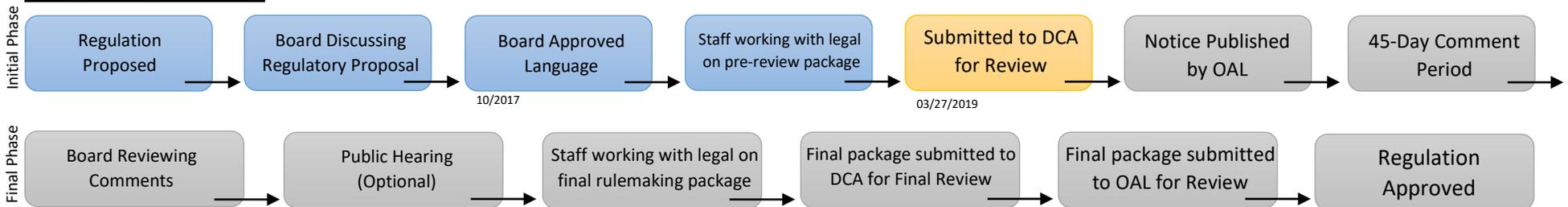


CCR Section: 2036.1, [2064](#), 2065.1, 2065.2, [2065.6](#), [2065.7](#), [2065.8](#), [2066](#), [2068.5](#)

Notes: *RVT Alternate Route:* In [02/2015](#) the MDC approved proposed language. In [07/2015](#) the Board approved proposed language.
RVT Student Exemption: In [07/2015](#) the MDC approved proposed language. In [10/2015](#) the Board approved proposed language.
RVT AVMA School Approval: In [07/2016](#) the Board approved proposed language.

The RVT Alternate Route, RVT Student Exemption and RVT AVMA School Approval were combined and approved in [07/2017](#). The language was amended at the [08/2018](#) Board meeting. The rulemaking package has been submitted to DCA on 03/26/2016 and the package is with Legal Affairs as of 09/20/2019.

Drug Compounding

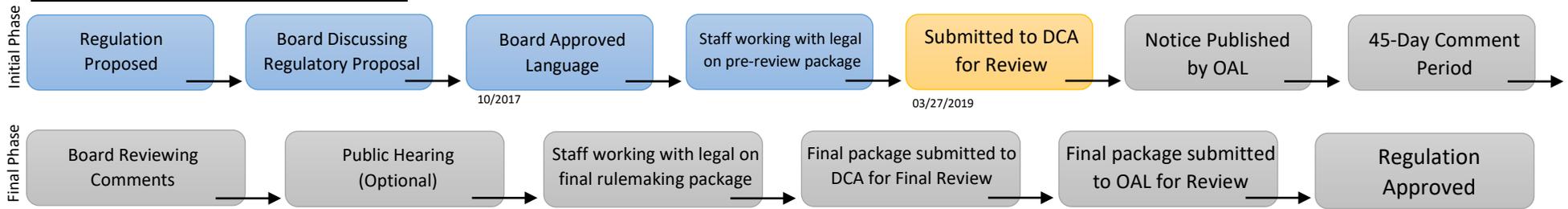


CCR Section: 2090-2096

Notes: The Drug Compounding rulemaking package proposed language was approved in [10/2017](#). The rulemaking package has been submitted to DCA on 03/27/2019 and the package is with Budgets as of 03/28/2019. The Board will be reviewing this package at the October meeting for potential revisions.

Status of Pending VMB Regulations

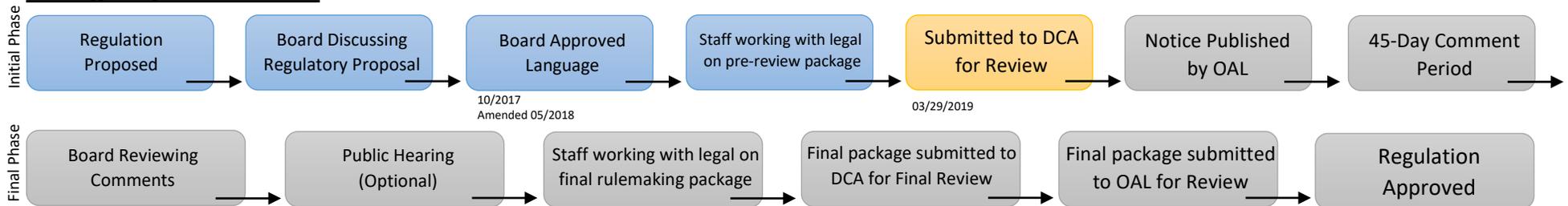
Animal Physical Rehabilitation



CCR Section: 2038.5

Notes: The Animal Rehabilitation rulemaking package was previously filed with OAL and withdrawn in [11/2015](#). Three taskforce meetings were held to discuss this issue ([06/2016](#), [10/2016](#), [02/2017](#)). In [10/2017](#) the Board approved proposed language. The rulemaking package has been submitted to DCA on 03/27/2019 and the package is with Legal Affairs as of 09/10/2019.

Emergency Animal Care

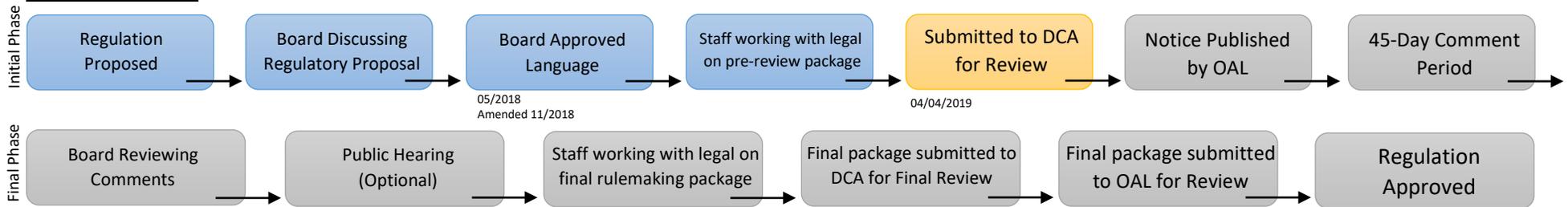


CCR Section: [2069](#)

Notes: The Emergency Animal Care rulemaking package proposed language was approved by the Board in [10/2017](#) but brought back for further discussion at its [02/2018](#) meeting. The Board approved language at the [05/2018](#) meeting. The rulemaking package has been submitted to DCA on 03/29/2019 and the package is with Legal Affairs as of 08/16/2019.

Status of Pending VMB Regulations

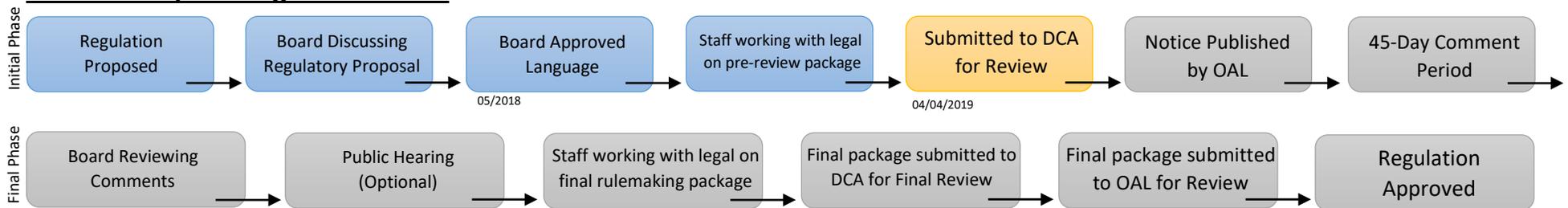
RVT Job Tasks



CCR Section: [2036](#)

Notes: The RVT Job Tasks rulemaking package proposed language was approved by the MDC at their [10/2017](#) meeting and discussed at the Board’s [02/2018](#) meeting. The Board approved language at the [05/2018](#) meeting. At the [11/2018](#) meeting, the Board amended the approved language to include drug compounding. The rulemaking package has been submitted to DCA on 04/04/2019 and the package is with Budgets as of 04/05/2019.

Duties of Supervising Veterinarian

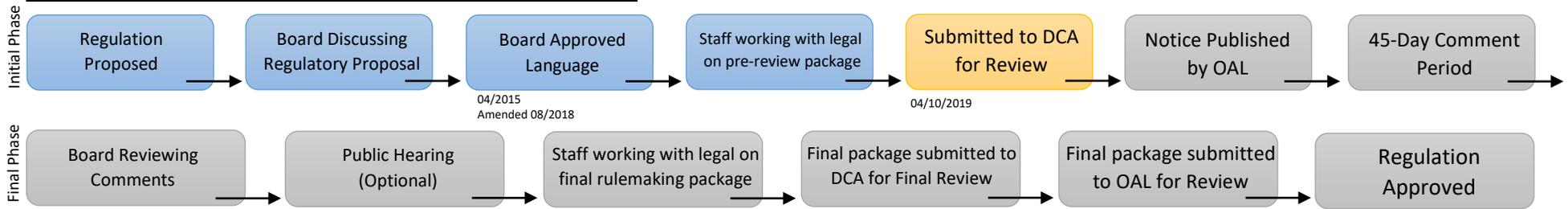


CCR Section: [2035](#)

Notes: The Duties of a Supervising Veterinarian proposed regulations were approved by the Board at the [05/2018](#) meeting. This regulation was previously called “Extended Duty” for Registered Veterinary Technicians. The rulemaking package has been submitted to DCA on 04/04/2019 and the package is with Budgets as of 04/05/2019.

Status of Pending VMB Regulations

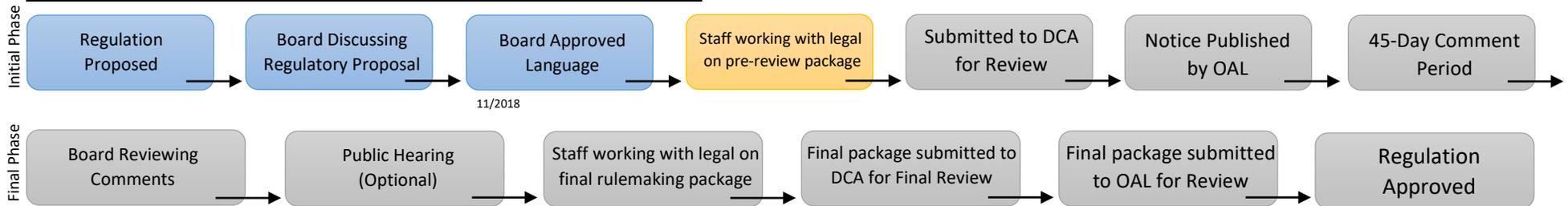
Veterinarian-Client-Patient Relationships (VCPRs)



CCR Section: [2032.15](#), [2032.25](#)

Notes: VCPRs was originally included with Telemedicine and Minimum Standards and approved at the [04/2015](#) meeting, but a byproduct of separating the Telemedicine from Minimum Standards cause the VCPRs to be dropped off. The language was re-presented to the Board at the [08/2018](#) meeting where additional changes were approved. The rulemaking package has been submitted to DCA on 04/10/2019 and the package is with Budgets as of 04/10/2019.

Minimum Standards for Alternate Veterinary Premises

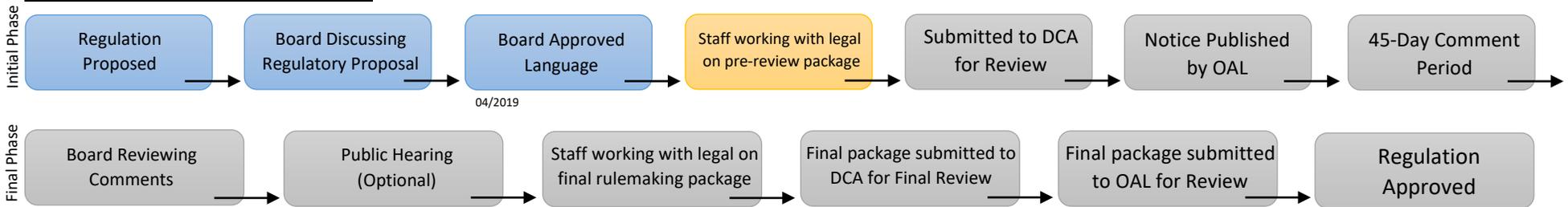


CCR Section: [2030](#), [2030.05](#), [2030.1](#), [2030.15](#), [2030.2](#), [2030.3](#), [2030.4](#), [2030.5](#)

Notes: The Minimum Standards for Alternate Veterinary Premises proposed regulations were approved by the MDC at their [02/2018](#) meeting and forwarded to the Board for discussion. The Board approved language at the [11/2018](#) meeting. Board staff is working with legal to develop the initial rulemaking package prior to submitting to DCA for review.

Status of Pending VMB Regulations

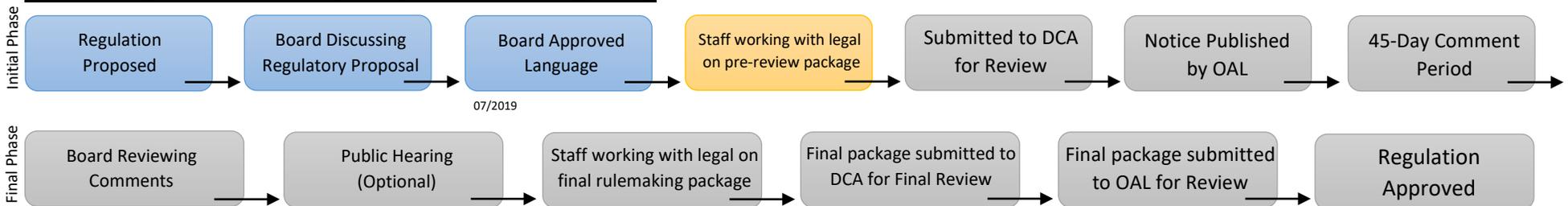
Shelter Minimum Standards



CCR Section: 2035.5, 2030.6

Notes: The Shelter Minimum Standards concept was approved by the MDC at the [01/2019](#) meeting and the Board made minor amendments and approved the language at the [04/2019](#) meeting. Board staff is working with legal to develop the initial rulemaking package prior to submitting to DCA for review.

Veterinary Student Exemption/RVT Exam Eligibility

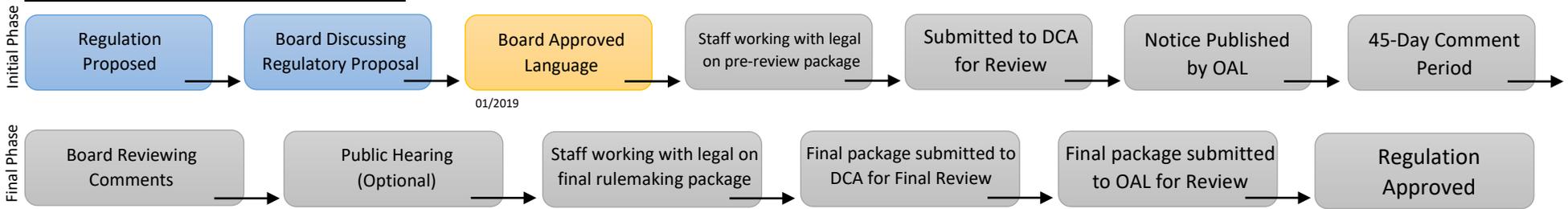


CCR Section: [2027](#), [2027.5](#)

Notes: The Veterinary Student Exemption proposal was discussed and conceptionally approved 04/2017. This regulation is pending updates required by new Business and Professions Code (BPC) 4841.2 per [SB 1480](#) (Hill, Chapter 571, Statutes of 2018). The Board briefly reviewed the proposed language at the [04/2019](#) meeting and approved the proposed language at the [07/2019](#) meeting.

Status of Pending VMB Regulations

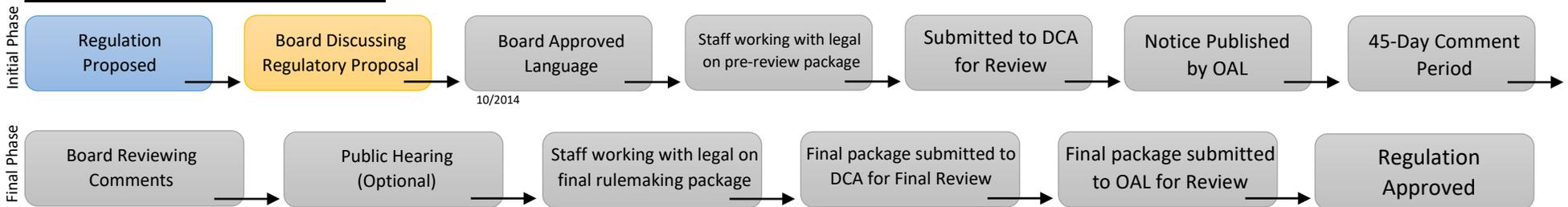
VCPR/Informed Client Consent



CCR Section: [2032.1](#)

Notes: The VCPR/Informed Client Consent proposed regulations was presented as a question from the MDC regarding the requirements of a veterinarian to advise clients about dental radiographs at the [11/2018](#) meeting. The Board reviewed this at the [01/2019](#) meeting and decided to proceed with regulatory amendments. This regulatory package is on hold pending the approval of the Telemedicine regulations.

Uniform Standards for Abuse



CCR Section: [2006](#), [2006.5](#), [2076](#)

Notes: The Uniform Standards for Abuse rulemaking proposed language was approved in [10/2014](#) and was on hold per legal from 04/2015-03/2016. Pending amendments to be re-submitted to the Board for review and approval. As discussed at the [11/2018](#) meeting, DCA is reviewing the Uniform Standards of other healing arts Boards and it was recommended to hold off on developing the regulatory package until DCA has completed their review and recommendations. At the [01/2019](#) meeting, the Board created a subcommittee to look at Uniform Standards further. At the [04/2019](#) meeting the subcommittee provided a brief update on the Uniform Standards and at the 09/12 teleconference the Board voted to proceed with a new trigger. The Board will review the proposed language at the October meeting to ensure it adheres with the new trigger.