

## REVISED

<b>DATE</b>	April 20, 2021
<b>TO</b>	Veterinary Medical Board (Board)
<b>FROM</b>	Kristi Pawlowski, RVT, Chair, Multidisciplinary Advisory Committee (MDC)
<b>SUBJECT</b>	<b>Agenda Item 5C. Recommendation to Amend BPC Sections 4836.2, 4853.1, 4900, and 4905 and Repeal Sections 4836.3, 4842.5, and 4846.4 Regarding Licensing Fees and Expiration Dates</b>

### **Background**

During the July 17, 2020 MDC meeting, the Veterinary Premises Registration Fee Subcommittee (Subcommittee) provided an overview of the request from the Board for the MDC to look at whether the Board could raise fees for veterinary premises registrations, using a tiered approach based on the size of the premises, to cover the revenue otherwise generated by the registered veterinary technician (RVT) fee increases. Alternatively, if there would not be enough revenue generated by increasing only the premises registration fees, the Board asked the MDC to consider a recommendation to the California State Legislature to raise the statutory veterinarian license fees, as well.

As discussed in more detail [here](#), the Subcommittee created a Veterinary Premises Survey to compile data for determining an appropriate tiered veterinary premises registration schedule.

The Board has email addresses for 50% of the managing licensees (MGLs) listed on premises registrations. The survey was emailed to these MGLs on July 17, 2020. By the July 22 MDC meeting, the Board only received 54 responses. Subsequently, the Board sent survey reminders in the August and September stakeholder updates.

On September 14, 2020, the Subcommittee met to discuss the survey results. At that time, the Board had received 89 responses, representing roughly 2% of the total premises registration population. At that time, the Subcommittee believed there were not enough responses to move forward with any recommendations to change the current fee schedule.

During the October 21, 2020 MDC meeting, the Subcommittee requested assistance from the MDC members to donate their time to contact the MGL or office manager of 50% of the registered premises to obtain responses to the survey. After further discussion, however, it was determined this was not a viable option for MDC members to complete.

Rather than calling individual premises, the MDC members discussed performing online searches of premises websites to determine the number of employees working in each location. The MDC members also discussed revising the survey by adding categories in hopes of making the survey easier to complete. The Subcommittee also would provide criteria for the MDC members to use when conducting online searches.

Ultimately, the Subcommittee suggested, and the MDC members agreed, to have the Subcommittee conduct preliminary research to see how efficient the online search would be. They then could determine if the remaining MDC members would be willing and able to do the work as well.

After conducting preliminary research online, the Subcommittee was concerned with the lack of current and accurate information on premises websites. In addition, the Subcommittee found they had to navigate several different pages of each premises website to locate the individual veterinarians. As a result, the Subcommittee concluded the online searches are not easy to obtain the necessary information and would not result in accurate information.

To obtain current, accurate, and reliable data, the Subcommittee recommended, and the MDC agreed that the Board should update its premises renewal application to include full-time equivalent employment data. This would require the Board to pursue a regulatory amendment through the rulemaking process.

Seeing as the rulemaking process takes a significant amount of time, the Subcommittee recommended, and the MDC agreed, that the Board should consider raising premises and veterinarian fees to offset a reduction in the RVT fees. If included in the Board's Sunset bill, the revised fees could take effect in January 2022.

To assist the MDC's January 27, 2021 discussion, the Subcommittee requested Board staff provide multiple fee options with the following goals in mind:

- Reduce initial and renewal RVT fees to \$225.
- Justification to raise premises registration fees more than veterinarian license fees.

To reduce the RVT fees to \$225, the Board would need to generate \$623,625 annually in revenue by increasing other fees. With the above objectives in mind, Board staff created three options. Recognizing alternative combination options exist, Board staff prepared a chart demonstrating revenues generated by incremental fee increases.

### **MDC Recommendation**

The MDC reviewed the different fee options and determined that to reduce the RVT fees, most of the fee increases should be shifted to the registered veterinary premises, which has the widest source of income. As such, the MDC recommends the Board select the fee increases reflected in Option B, which would increase veterinary premises initial registration and annual renewal fees, as well as veterinarian application and license renewal fees. Some MDC members continue to express concern with the higher RVT fees, as this recommendation does not allow for a complete reduction to the original RVT fees.

To decrease the RVT initial and renewal fees and increase the veterinarian and veterinary premises initial and renewal application fees, Business and Professions Code (BPC) sections 4842.5 and 4905 must be amended to set the fees in statute. Accordingly, attached is a legislative proposal to amend BPC sections 4842.5 and 4905 to set the fees to the amounts reflected in Option B.

After the January MDC meeting, the Executive Officer prepared another option for the fee structure, which would add an initial \$100 permit fee for the Veterinary Assistant Controlled Substance Permit (VACSP), increase the VACSP renewal fee from \$50 to \$100, and not increase the veterinarian license application or renewal fees again. This option is in response to public comments received during the fee increase rulemaking public comment periods, MDC and Board meetings, and the March 3, 2021 Sunset Review Oversight Hearing that the Board did not increase fees for the VACSP Program. At the time, the Board could not raise the VACSP fees through regulation, since the fees were already at the statutory cap.

Concerns also were raised that the VACSP Program costs the Board more to implement than originally anticipated, due to the volume of VACSP applicant criminal convictions to be investigated and the significantly lower revenue being generated due to more than half of the VACSP holders not renewing their permits.

All other license types under the Board have initial license/registration fees. These fees cover the costs of Board operations during the initial license period. Since the VACSP currently does not have an initial permit fee in statute, all other license types are covering Board operation costs for the VACSP initial permit period up to two years. Adding a statutory initial permit fee and raising the renewal fee will help ensure all other licensees/registrants are not absorbing the costs of implementing the VACSP Program.

The Executive Officer provided the new option to the Subcommittee who approved it as an alternative to Option B. On April 15, 2021, the Executive Officer requested the Department of Consumer Affairs (DCA) Budget Office review and confirm the calculations were correct and would recoup enough revenue to not increase the veterinarian fees again. The DCA Budget Office confirmed the new option calculations on April 19, 2021.

### **Executive Officer Recommendation**

In addition to the MDC's recommended amendments to BPC sections 4842.5 and 4905, the Executive Officer would like the Board to consider including the following technical clean up amendments in the same legislative proposal:

- Move all license, registration, and permit fees to Article 5. Revenue.
  - Currently, license, registration, and permit fees are scattered throughout the Veterinary Medicine Practice Act (Act), making it challenging for applicants, licensees, stakeholders, and Board staff to find. Often, individuals only look at the Revenue section for applicable fees, but RVT and VACSP fees are not included in that section. Moving all fees into one Revenue section enables easy access and understanding.
- Combine duplicative requirements into one section.

- Currently, renewal requirements are unnecessarily duplicated throughout the Act. (See BPC, §§ 4836.3, subds. (a), (b), 4846.4, subds. (a), (b), 4853.1, subd. (b).) Combining these requirements into one section and repealing the duplicative sections improves readability and understanding of the Act. (See Prop. BPC, § 4900, subd. (a), (c).)
- Add misdemeanor conviction question to align with current law.
  - Currently, a renewal application must contain a statement that the applicant has not been convicted of a felony. (BPC, §§ 4836.3, subd. (b), 4846.4, subd. (b), 4853.1, subd. (b).) The Board is authorized to obtain and receive criminal history information from the Department of Justice and the United States Federal Bureau of Investigation, as well as receive, from a local or state agency certified records of all arrests and convictions (not limited to felonies) to complete a licensee investigation. (BPC, §§ 144, subd. (a), 144.5.) A licensee may be disciplined for any criminal conviction, misdemeanor or felony, related to the practice of veterinary medicine. (BPC §§ 4883, subds. (a), (g), 4885.) The Board is required to prioritize cases involving a criminal conviction (misdemeanor or felony) or being subject to a felony criminal proceeding. (BPC, § 4875.1(a)(3).) Yet, the renewal application statute does not specifically require licensees to report misdemeanor convictions, which may be substantially related to the practice of veterinary medicine (e.g., misdemeanor possession, sale, or use of controlled substance violations) and indicate harm to the health, safety, and welfare of consumers and their animals. Accordingly, the statutory renewal application reporting requirements should include misdemeanor convictions. (See Prop. BPC, § 4900, subd. (c).)
- Expire veterinarian licenses, RVT registrations, and VACSPs on the last day of the month two years from the date of issuance.
  - Currently, license, registration, and permit expiration dates are based on the individual's birthdate. (BPC, §§ 4836.3, subd. (a), 4846.4, subd. (a), 4900, subd. (a).) Accordingly, a license, registration, or permit can be issued for a period anywhere from 12-24 months, depending on when the applicant was born and when the initial license, registration, or permit is issued by the Board. The Board was required to create regulations to pro-rate the initial licensing fee, but no such regulations were created. (BPC, § 4900, subd. (b).) Rather than create a pro-rata formula through regulation, the expiration date should change to ensure every licensee, registrant, or permit holder receives their initial license, registration, or permit for the same amount of time, regardless of when they were born. (See Prop. BPC, § 4900, subd. (a).)
- Add clear expiration date for premises registrations and VACSPs.
  - Currently, the Act provides for when premises registrants and VACSP holders need to apply for renewal, but it does not explicitly state when the premises registration and VACSP expire. (BPC, §§ 4836.3, subd. (a), 4853.1, subd. (a).) The proposal should clarify the expiration date for premises registrations and VACSPs. (See Prop. BPC, § 4900, subds. (a), (b).)

- Add requirement for licensees, registrants, and permit holders to provide electronic mail address, if they have one.
  - Electronic mail is the quickest, easiest, and most cost-effective way to provide licensees, registrants, and permit holders with necessary information. By requiring them to provide to the Board their electronic mail address, if they have one, and making them attest that the address is current and valid upon renewal, the Board can quickly communicate with all licensees, registrants, and permit holders. (See Prop. BPC, § 4900, subd. (d).) The Medical Board of California (MBC) did something similar in 2013 (see BPC, § [2021](#), subd. (d)).

The entire legislative proposal, with reorganized and revised fee increases and expiration dates, is attached, with the MDC recommendations identified in green and the Executive Officer recommendations identified in purple. For ease of reference, a clean version of the amended sections, if enacted, is also attached.

### **Action Requested**

If the Board agrees to lower the RVT fees and raise the veterinarian license and premises registration and renewal fees reflected in Option B, the Board is requested to approve the MDC and Executive Officer recommendations and submit to the California State Legislature the attached legislative proposal for inclusion **in** the Board's Sunset bill.

Alternatively, if the Board agrees with the new option to lower the RVT fees, raise the premises registration and renewal fees, add an initial VACSP fee and raise the VACSP renewal fee, the Board is requested to approve the new option and Executive Officer recommendations and submit to the California State Legislature the attached revised legislative proposal for inclusion in the Board's Sunset bill.

### **Attachments**

1. Different Fee Options
2. Incremental Fee Increase Breakdown
3. Proposed Legislation to Amend BPC sections 4836.2, 4853.1, 4900, and 4905 and repeal sections 4836.3, 4842.5, and 4846.4
4. Amended BPC sections 4836.2, 4853.1, 4900, and 4905, if enacted
5. Revised Proposed Legislation to Amend BPC sections 4836.2, 4853.1, 4900, and 4905 and repeal sections 4836.3, 4842.5, and 4846.4
6. Revised Amended BPC sections 4836.2, 4853.1, 4900, and 4905, if enacted

RVTs			
Current Application	\$350	\$319,900	
Proposed	<b>\$225</b>	\$205,650	<b>(\$114,250)</b>
Current Registration	\$350	\$236,250	
Proposed	<b>\$225</b>	\$151,875	<b>(\$84,375)</b>
Current Renewal	\$350	\$1,190,000	
Proposed	<b>\$225</b>	\$765,000	<b>(\$425,000)</b>
Revenue Needed			<b>(\$623,625)</b>

Option A			
Premises			
Current Registration	\$400	\$128,000	
Proposed	<b>\$475</b>	<b>\$152,000</b>	<b>\$24,000</b>
Current Renewal	\$400	\$1,280,000	
Proposed	<b>\$550</b>	<b>\$1,760,000</b>	<b>\$480,000</b>
Revenue Raised			<b>\$504,000</b>
Veterinarians			
Current Application	\$350	\$275,100	
Proposed	\$350	\$275,100	\$0
Current License	\$500	\$310,000	
Proposed	\$500	\$310,000	\$0
Current Renewal	\$500	\$3,075,000	
Proposed	<b>\$520</b>	<b>\$3,198,000</b>	<b>\$123,000</b>
Revenue Raised			<b>\$123,000</b>
Total Raised		<b>\$627,000</b>	
Difference			<b>\$3,375</b>

Option B			
Premises			
Current Registration	\$400	\$128,000	
Proposed	<b>\$500</b>	<b>\$160,000</b>	<b>\$32,000</b>
Current Renewal	\$400	\$1,280,000	
Proposed	<b>\$525</b>	<b>\$1,680,000</b>	<b>\$400,000</b>
Revenue Raised			<b>\$432,000</b>
Veterinarians			
Current Application	\$350	\$275,100	
Proposed	<b>\$360</b>	<b>\$282,960</b>	<b>\$7,860</b>
Current License	\$500	\$310,000	
Proposed	\$500	\$310,000	\$0
Current Renewal	\$500	\$3,075,000	
Proposed	<b>\$530</b>	<b>\$3,259,500</b>	<b>\$184,500</b>
Revenue Raised			<b>\$192,360</b>
Total Raised		<b>\$624,360</b>	
Difference			<b>\$735</b>

Option C			
Premises			
Current Registration	\$400	\$128,000	
Proposed	\$400	\$128,000	\$0
Current Renewal	\$400	\$1,280,000	
Proposed	<b>\$500</b>	<b>\$1,600,000</b>	<b>\$320,000</b>
Revenue Raised			<b>\$320,000</b>
Veterinarians			
Current Application	\$350	\$275,100	
Proposed	\$350	\$275,100	\$0
Current License	\$500	\$310,000	
Proposed	\$500	\$310,000	\$0
Current Renewal	\$500	\$3,075,000	
Proposed	<b>\$550</b>	<b>\$3,382,500</b>	<b>\$307,500</b>
Revenue Raised			<b>\$307,500</b>
Total Raised		<b>\$627,500</b>	
Difference			<b>\$3,875</b>

**Premises**

Registration			Renewal		
Fee	Revenue	Difference	Fee	Revenue	Difference
\$ 400	\$ 128,000	\$ -	\$400	\$1,280,000	\$0
\$ 410	\$ 131,200	\$ 3,200	\$425	\$1,360,000	\$80,000
\$ 420	\$ 134,400	\$ 6,400	\$450	\$1,440,000	\$160,000
\$ 430	\$ 137,600	\$ 9,600	\$475	\$1,520,000	\$240,000
\$ 440	\$ 140,800	\$ 12,800	<b>\$500</b>	<b>\$1,600,000</b>	<b>\$320,000</b>
\$ 450	\$ 144,000	\$ 16,000	<b>\$525</b>	<b>\$1,680,000</b>	<b>\$400,000</b>
\$ 460	\$ 147,200	\$ 19,200	<b>\$550</b>	<b>\$1,760,000</b>	<b>\$480,000</b>
\$ 470	\$ 150,400	\$ 22,400	\$600	\$1,920,000	\$640,000
<b>\$ 475</b>	<b>\$152,000</b>	<b>\$24,000</b>			
\$ 480	\$ 153,600	\$ 25,600			
\$ 490	\$ 156,800	\$ 28,800			
<b>\$ 500</b>	<b>\$ 160,000</b>	<b>\$ 32,000</b>			
\$ 510	\$ 163,200	\$ 35,200			
\$ 520	\$ 166,400	\$ 38,400			
\$ 530	\$ 169,600	\$ 41,600			
\$ 540	\$ 172,800	\$ 44,800			
\$ 550	\$ 176,000	\$ 48,000			
\$ 560	\$ 179,200	\$ 51,200			

**Veterinarian**

Application			License			Renewal		
Fee	Revenue	Difference	Fee	Revenue	Difference	Fee	Revenue	Difference
\$ 350	\$ 275,100	\$ -	\$ 500	\$ 310,000	\$ -	\$ 500	\$ 3,075,000	\$ -
<b>\$ 360</b>	<b>\$ 282,960</b>	<b>\$ 7,860</b>	\$ 510	\$ 316,200	\$ 6,200	\$ 510	\$ 3,136,500	\$ 61,500
\$ 370	\$ 290,820	\$ 15,720	\$ 520	\$ 322,400	\$ 12,400	<b>\$ 520</b>	<b>\$ 3,198,000</b>	<b>\$ 123,000</b>
\$ 380	\$ 298,680	\$ 23,580	\$ 530	\$ 328,600	\$ 18,600	<b>\$ 530</b>	<b>\$ 3,259,500</b>	<b>\$ 184,500</b>
\$ 390	\$ 306,540	\$ 31,440	\$ 540	\$ 334,800	\$ 24,800	\$ 540	\$ 3,321,000	\$ 246,000
\$ 400	\$ 314,400	\$ 39,300	\$ 550	\$ 341,000	\$ 31,000	<b>\$ 550</b>	<b>\$ 3,382,500</b>	<b>\$ 307,500</b>
\$ 410	\$ 322,260	\$ 47,160	\$ 560	\$ 347,200	\$ 37,200	\$ 560	\$ 3,444,000	\$ 369,000
\$ 420	\$ 330,120	\$ 55,020	\$ 570	\$ 353,400	\$ 43,400	\$ 570	\$ 3,505,500	\$ 430,500
\$ 430	\$ 337,980	\$ 62,880	\$ 580	\$ 359,600	\$ 49,600	\$ 580	\$ 3,567,000	\$ 492,000
\$ 440	\$ 345,840	\$ 70,740	\$ 590	\$ 365,800	\$ 55,800	\$ 590	\$ 3,628,500	\$ 553,500
\$ 450	\$ 353,700	\$ 78,600	\$ 600	\$ 372,000	\$ 62,000	\$ 600	\$ 3,690,000	\$ 615,000

**VETERINARY MEDICAL BOARD  
PROPOSED LEGISLATION  
LICENSING FEES AND EXPIRATION DATES**

Changes to the existing statute are shown in single underline for new text and ~~single strikeout~~ for deleted text.

Section 4836.2 of the Business and Professions Code is amended to read:

**4836.2.** (a) Applications for a veterinary assistant controlled substance permit shall be upon a form furnished by the board.

~~(b) The fee for filing an application for a veterinary assistant controlled substance permit shall be set by the board in an amount the board determines is reasonably necessary to provide sufficient funds to carry out the purposes of this section, not to exceed one hundred dollars (\$100).~~ [Moved to Article 5. Revenue, new BPC section 4905(r), and set the fee per MDC recommendation.]

~~(c)~~ (e) The board may suspend or revoke the controlled substance permit of a veterinary assistant after notice and hearing for any cause provided in this subdivision. The proceedings under this section shall be conducted in accordance with the provisions for administrative adjudication in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein. The board may deny, revoke, or suspend a veterinary assistant controlled substance permit, or, subject to terms and conditions deemed appropriate by the board, issue a probationary veterinary assistant controlled substance permit, for any of the following reasons:

- (1) The employment of fraud, misrepresentation, or deception in obtaining a veterinary assistant controlled substance permit.
- (2) Chronic inebriety or habitual use of controlled substances.
- (3) The applicant or permitholder has been convicted of a state or federal felony controlled substance violation.
- (4) Violating or attempts to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter, or of the regulations adopted under this chapter.
- (5) Conviction of a crime substantially related to the qualifications, functions, or duties of veterinary medicine, veterinary surgery, or veterinary dentistry, in which case the record of the conviction shall be conclusive evidence.

~~(d)~~ (f) The board shall not issue a veterinary assistant controlled substance permit to any applicant with a state or federal felony controlled substance conviction.

~~(e)~~ (g) (1) As part of the application for a veterinary assistant controlled substance permit, the applicant shall submit to the Department of Justice fingerprint images and related information, as required by the Department of Justice for all veterinary assistant applicants, for the purposes of obtaining information as to the existence and content of



a record of state or federal convictions and state or federal arrests and information as to the existence and content of a record of state or federal arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance pending trial or appeal.

(2) When received, the Department of Justice shall forward to the Federal Bureau of Investigation requests for federal summary criminal history information that it receives pursuant to this section. The Department of Justice shall review any information returned to it from the Federal Bureau of Investigation and compile and disseminate a response to the board summarizing that information.

(3) The Department of Justice shall provide a state or federal level response to the board pursuant to paragraph (1) of subdivision (p) of Section 11105 of the Penal Code.

(4) The Department of Justice shall charge a reasonable fee sufficient to cover the cost of processing the request described in this subdivision.

(fe) The board shall request from the Department of Justice subsequent notification service, as provided pursuant to Section 11105.2 of the Penal Code, for persons described in paragraph (1) of subdivision (e).

~~(g) This section shall become operative on July 1, 2015.~~ [Unnecessary; section already operative.]

Section 4836.3 of the Business and Professions Code is repealed:

~~**4836.3.** (a) Each person who has been issued a veterinary assistant controlled substance permit by the board pursuant to Section 4836.2 shall biennially apply for renewal of his or her permit on or before the last day of the applicant's birthday month. The application shall be made on a form provided by the board.~~ [Covered under proposed BPC section 4900(a-c).]

~~(b) The application shall contain a statement to the effect that the applicant has not been convicted of a felony, has not been the subject of professional disciplinary action taken by any public agency in California or any other state or territory, and has not violated any of the provisions of this chapter. If the applicant is unable to make that statement, the application shall contain a statement of the conviction, professional discipline, or violation.~~ [Covered under proposed BPC section 4900(c).]

~~(c) The board may, as part of the renewal process, make necessary inquiries of the applicant and conduct an investigation in order to determine if cause for disciplinary action exists.~~ [The Board already has authority to conduct investigations into convictions/discipline. This appears to give authorization to hold the renewal while the Board investigates. This is not the current process, nor should it be.]

~~(d) The fee for filing an application for a renewal of a veterinary assistant controlled substance permit shall be set by the board in an amount the board determines is reasonably necessary to provide sufficient funds to carry out the purposes of this section, not to exceed fifty dollars (\$50).~~ [Moved to Article 5. Revenue, new BPC section 4905(o), and set the fee per MDC recommendation.]

~~(e) This section shall become operative on the date Section 4836.2 becomes operative.~~  
[Unnecessary because both sections are already operative.]

Section 4842.5 of the Business and Professions Code is repealed:

~~4842.5. The amount of fees prescribed by this article is that fixed by the following schedule.~~ [This proposal moves all fee references to Article 5. Revenue.]

~~(a) The fee for filing an application for examination shall be set by the board in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purposes of this chapter, not to exceed three hundred fifty dollars (\$350).~~ [Moved to Article 5. Revenue, new BPC section 4905(o), and set the fee per MDC recommendation.]

~~(b) The fee for the California registered veterinary technician examination shall be set by the board in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purposes of this chapter, not to exceed three hundred dollars (\$300).~~ [AB 1535 strikes the California RVT examination.]

~~(c) The initial registration fee shall be set by the board at not more than three hundred fifty (\$350),~~ [Moved to Article 5. Revenue, new BPC section 4905(p), and set the fee per MDC recommendation.] ~~except that, if the license is issued less than one year before the date on which it will expire, then the fee shall be set by the board at not more than one hundred seventy five dollars (\$175). The board may adopt regulations to provide for the waiver or refund of the initial registration fee where the registration is issued less than 45 days before the date on which it will expire.~~ [No longer necessary with this proposal. All licenses would expire two years from the date of issuance.]

~~(d) The biennial renewal fee shall be set by the board at not more than three hundred fifty hundred twenty five dollars (\$350).~~ [Moved to Article 5. Revenue, new BPC section 4905(p), and set the fee per MDC recommendation.]

~~(e) The delinquency fee shall be set by the board at not more than fifty dollars (\$50).~~  
[Covered under new BPC section 4905(i).]

~~(f) Any charge made for duplication or other services shall be set at the cost of rendering the services.~~ [Covered under new BPC section 4905(j).]

~~(g) The fee for filing an application for approval of a school or institution offering a curriculum for training registered veterinary technicians pursuant to Section 4843 shall be set by the board at an amount not to exceed three hundred dollars (\$300). The school or institution shall also pay for the actual costs of an onsite inspection conducted by the board pursuant to Section 2065.6 of Title 16 of the California Code of Regulations, including, but not limited to, the travel, food, and lodging expenses incurred by an inspection team sent by the board.~~ [Moved to Article 5. Revenue, new BPC section 4905(r).]

~~(h) The fee for failure to report a change in the mailing address is twenty five dollars (\$25).~~ [Covered under new BPC section 4905(l).]

Section 4846.4 of the Business and Professions Code is repealed:

~~4846.4. (a) Each individual licensed by the board shall biennially apply for renewal of his or her license or registration on or before the last day of the applicant's birthday month. The application shall be made on a form provided by the board.~~ [Covered under proposed BPC section 4900(a)]

~~(b) The application shall contain a statement to the effect that the applicant has not been convicted of a felony, has not been the subject of professional disciplinary action taken by any public agency in California or any other state or territory, and has not violated any of the provisions of this chapter. If the applicant is unable to make that statement, the application shall contain a statement of the conviction, professional discipline, or violation.~~ [Covered under proposed BPC section 4900(c)]

~~(c) The board may, as part of the renewal process, make necessary inquiries of the applicant and conduct an investigation in order to determine if cause for disciplinary action exists.~~ [The Board already has authority to conduct investigations into convictions/discipline. This appears to give authorization to hold the renewal while the Board investigates. This is not the current process, nor should it be.]

Section 4853.1 of the Business and Professions Code is amended to read:

~~4853.1. (a) Each application to register a premise pursuant to Section 4853 shall be made on a form provided by the board. An application for renewal of that registration shall be made annually.~~ [Covered under proposed BPC section 4900(c)]

~~(b) The application shall contain a statement to the effect that the applicant has not been convicted of a felony, has not been the subject of professional disciplinary action taken by any public agency in California or any other state or territory, and has not violated any of the provisions of this chapter. If the applicant is unable to make that statement, the application shall contain a statement of the conviction, professional discipline, or violation.~~ [Per AB 2138, cannot ask this on initial license; the ability to ask this on renewal is covered under proposed BPC section 4900(c)]

~~(c) The board may, as part of the renewal process, make necessary inquiries of the applicant and conduct an investigation in order to determine if cause for disciplinary action exists.~~ [The Board already has authority to conduct investigations into convictions/discipline. This appears to give authorization to hold the renewal while the Board investigates. This is not the current process, nor should it be.]

Section 4900 of the Business and Professions Code is amended to read:

**4900.** (a) All veterinary licenses, and veterinary technician registrations, and veterinary assistant controlled substance permits shall expire at 12 midnight of the last day of the birth month of the licensee or registrant in which the license was issued during the

second year of a two-year term if not renewed. [This ensures all initial licenses, registrations, and permits are good for two years.]

(b) ~~The board shall establish by regulation procedures for the administration of a birth date renewal program, including, but not limited to, the establishment of a system of staggered license and registration expiration dates and a pro rata formula for the payment of renewal fees by veterinarians and registered veterinary technicians affected by the implementation of the program.~~ [The Board never established this regulation. However, this section is unnecessary, because this proposal ensures all licenses, registrations, and VACSPs are good for two years from the date of issuance] All premises registrations shall expire annually at 12 midnight of the last day of the month in which the license was issued, unless renewed. [Currently, there is no statute that clearly state when premises registrations expire.]

(c) ~~To renew an unexpired license, or registration, or permit, the licensee, or registrant, or permit holder shall, on or before the date of expiration of the license or registration, apply for renewal on a form provided by the board, accompanied by the prescribed renewal fee. The renewal application shall contain a statement to the effect that the applicant has not been convicted of a felony or misdemeanor, has not been the subject of professional disciplinary action taken by any public agency in California or any other state or territory, and has not violated any of the provisions of this chapter. If the applicant is unable to make that statement, the application shall contain a statement of the conviction, professional discipline, or violation.~~ [This provision combines into one section the current duplicative requirements for licensees (see BPC section 4846.4(b)), premises registrations (see BPC section 4853.1(b)), and VACSP (see BPC section 4836.3(b)).]

(d) ~~Renewal under this section shall be effective on the date on which the application is filed, on the date on which the renewal fee is paid, or on the date on which the delinquency fee, if any, is paid, whichever occurs last. If so renewed, the license or registration shall continue in effect through the expiration date provided in this section which next occurs after the effective date of the renewal, when it shall expire, if it is not again renewed.~~ [This section is obsolete.] Each licensee, registrant, and permit holder who has an electronic mail address shall report to the board that electronic mail address during the time of renewal and attest that the electronic mail address and address of record is current and valid. The electronic mail address shall be considered confidential and not subject to public disclosure. [The electronic mail address was taken, in part, from MBC's requirement (see BPC section 2021(d)). MBC requires licensees to provide it by a specific date, but I think we can roll it into renewal. MBC also had a cumbersome verification process, but this proposal leaves it up to the licensee to verify at time of renewal.]

Section 4905 of the Business and Professions Code is amended to read:

**4905.** The following fees shall be collected by the board and shall be credited to the Veterinary Medical Board Contingent Fund:

(a) ~~The veterinarian license application fee for filing an application for examination shall be set by the board in an amount it determines is reasonably necessary to provide~~

~~sufficient funds to carry out the purpose of this chapter, not to exceed three hundred fifty~~sixty dollars (\$~~350~~360). [Per MDC recommendation.]

~~(b) The fee for the California state board examination shall be set by the board in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed three hundred fifty dollars (\$350). [The Board voted to eliminate the CSBE.]~~

~~(be) The fee for the Veterinary Medicine Practice Act examination~~ course [Per OPES recommendation to not call this an examination.] ~~fee~~ shall be set by the board in an amount it determines reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed one hundred dollars (\$100).

~~(cd) The initial veterinarian license fee shall be set by the board not to exceed five hundred dollars (\$500) except that, if the license is issued less than one year before the date on which it will expire, then the fee shall be set by the board not to exceed two hundred fifty dollars (\$250). The board may, by appropriate regulation, provide for the waiver or refund of the initial license fee where the license is issued less than 45 days before the date on which it will expire. [This no longer would be necessary, since all licenses would be issued for two years.]~~

~~(de) The biennial veterinarian license renewal fee shall be set by the board for each biennial renewal period in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed five hundred~~ thirty dollars (\$~~500~~530). [Per MDC recommendation.]

~~(f) The temporary license fee shall be set by the board in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed two hundred fifty dollars (\$250). [The Board approved eliminating the temporary license.]~~

~~(eg) The fee for filing an university license application fee for a university license shall be one hundred twenty-five dollars (\$125), which may be revised by the board in regulation but shall not exceed three hundred fifty dollars (\$350). [Making verbiage consistent with all other fees. The current fee in regulation is already \$350.]~~

~~(fh) The initial university license fee for a university license shall be two hundred ninety dollars (\$290), which may be revised by the board in regulation but shall not exceed five hundred dollars (\$500). [Making verbiage consistent with all other fees. The current fee in regulation is already \$500.]~~

~~(gi) The biennial university license renewal fee for a university license shall be two hundred ninety dollars (\$290), which may be revised by the board in regulation but shall not exceed five hundred dollars (\$500). [Making verbiage consistent with all other fees. The current fee in regulation is already \$500.]~~

~~(hj) The delinquency fee for licenses and registrations shall be set by the board, not to exceed~~ fifty dollars (\$50). [This section already applied to licenses and premises registrations. RVT delinquency fee conforms to existing BPC section 4842.5(e). There is currently no delinquency fee for VACSPs, so it reverts to BPC section 163.5 (see new 4905(t)).]

~~(ik)~~ The fee for issuance of a duplicate license, registration, or permit shall be is twenty-five dollars (\$25). [This section has historically already applied to all licenses, registrations, and permits. This is added for clarification.]

(jt) Any charge made for duplication or other services shall be set at the cost of rendering the service, except as specified in subdivision (jk).

~~(km)~~ The fee for failure to report a change in the mailing address shall be is twenty-five dollars (\$25).

~~(ln)~~ The initial and annual renewal fees for registration of veterinary premises registration fee shall be set by the board in an amount not to exceed four five hundred dollars (~~\$400~~500) annually. [Per MDC recommendation.]

(m) The annual veterinary premises registration renewal fee shall be five hundred twenty-five dollars (\$525). [Per MDC recommendation.]

(n) The registered veterinary technician application fee shall be two hundred twenty-five dollars (\$225). [Per MDC recommendation.]

(o) The initial registered veterinary technician registration fee shall be two hundred twenty-five dollars (\$225). [Per MDC recommendation.]

(p) The biennial registered veterinary technician renewal fee shall be two hundred twenty-five dollars (\$225). [Per MDC recommendation.]

(q) The veterinary assistant controlled substance permit application fee shall be one hundred dollars (\$100). [Copied from BPC section 4836.2(b)]

(r) The biennial veterinary assistant controlled substance permit renewal fee shall be fifty dollars (\$50). [Conforms to BPC section 4836.3(a), (d)]

(s) The veterinary assistant controlled substance permit delinquency fee shall be 50 percent of the renewal fee for such license in effect on the date of the renewal of the license, but not less than twenty-five dollars (\$25) nor more than one hundred fifty dollars (\$150). [Copied from BPC section 163.5]

(t) The fee for filing an application for approval of a school or institution offering a curriculum for training registered veterinary technicians pursuant to Section 4843 shall be set by the board at an amount not to exceed three hundred dollars (\$300). The school or institution shall also pay for the actual costs of an onsite inspection conducted by the board pursuant to Section 2065.6 of Title 16 of the California Code of Regulations, including, but not limited to, the travel, food, and lodging expenses incurred by an inspection team sent by the board. [Copied from BPC section 4842.5(g)]

~~(u)~~ If the money transferred from the Veterinary Medical Board Contingent Fund to the General Fund pursuant to the Budget Act of 1991 is redeposited into the Veterinary Medical Board Contingent Fund, the fees assessed by the board shall be reduced correspondingly. However, the reduction shall not be so great as to cause the Veterinary Medical Board Contingent Fund to have a reserve of less than three months of annual authorized board expenditures. The fees set by the board shall not result in a Veterinary Medical Board Contingent Fund reserve of more than 10 months of annual authorized board expenditures.

VETERINARY MEDICAL BOARD  
LEGISLATIVE PROPOSAL  
LICENSING FEES AND EXPIRATION DATES  
AMENDED STATUTES, IF ENACTED

**Business and Professions Code**

**4836.2.** (a) Applications for a veterinary assistant controlled substance permit shall be upon a form furnished by the board.

(b) The board may suspend or revoke the controlled substance permit of a veterinary assistant after notice and hearing for any cause provided in this subdivision. The proceedings under this section shall be conducted in accordance with the provisions for administrative adjudication in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein. The board may deny, revoke, or suspend a veterinary assistant controlled substance permit, or, subject to terms and conditions deemed appropriate by the board, issue a probationary veterinary assistant controlled substance permit, for any of the following reasons:

(1) The employment of fraud, misrepresentation, or deception in obtaining a veterinary assistant controlled substance permit.

(2) Chronic inebriety or habitual use of controlled substances.

(3) The applicant or permitholder has been convicted of a state or federal felony controlled substance violation.

(4) Violating or attempts to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter, or of the regulations adopted under this chapter.

(5) Conviction of a crime substantially related to the qualifications, functions, or duties of veterinary medicine, veterinary surgery, or veterinary dentistry, in which case the record of the conviction shall be conclusive evidence.

(c) The board shall not issue a veterinary assistant controlled substance permit to any applicant with a state or federal felony controlled substance conviction.

(d) (1) As part of the application for a veterinary assistant controlled substance permit, the applicant shall submit to the Department of Justice fingerprint images and related information, as required by the Department of Justice for all veterinary assistant applicants, for the purposes of obtaining information as to the existence and content of a record of state or federal convictions and state or federal arrests and information as to the existence and content of a record of state or federal arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance pending trial or appeal.



(2) When received, the Department of Justice shall forward to the Federal Bureau of Investigation requests for federal summary criminal history information that it receives pursuant to this section. The Department of Justice shall review any information returned to it from the Federal Bureau of Investigation and compile and disseminate a response to the board summarizing that information.

(3) The Department of Justice shall provide a state or federal level response to the board pursuant to paragraph (1) of subdivision (p) of Section 11105 of the Penal Code.

(4) The Department of Justice shall charge a reasonable fee sufficient to cover the cost of processing the request described in this subdivision.

(e) The board shall request from the Department of Justice subsequent notification service, as provided pursuant to Section 11105.2 of the Penal Code, for persons described in paragraph (1) of subdivision (e).

**4853.1.** (a) Each application to register a premise pursuant to Section 4853 shall be made on a form provided by the board.

**4900.** (a) All veterinary licenses, veterinary technician registrations, and veterinary assistant controlled substance permits shall expire at 12 midnight of the last day of the month in which the license was issued during the second year of a two-year term if not renewed.

(b) All premises registrations shall expire annually at 12 midnight of the last day of the month in which the license was issued, unless renewed.

(c) To renew an unexpired license, ~~or~~ registration, or permit, the licensee, ~~or~~ registrant, or permit holder shall, on or before the date of expiration of the license or registration, apply for renewal on a form provided by the board, accompanied by the prescribed renewal fee. The renewal application shall contain a statement to the effect that the applicant has not been convicted of a felony or misdemeanor, has not been the subject of professional disciplinary action taken by any public agency in California or any other state or territory, and has not violated any of the provisions of this chapter. If the applicant is unable to make that statement, the application shall contain a statement of the conviction, professional discipline, or violation.

(d) Each licensee, registrant, and permit holder who has an electronic mail address shall report to the board that electronic mail address during the time of renewal and attest that the electronic mail address and address of record is current and valid. The electronic mail address shall be considered confidential and not subject to public disclosure.

**4905.** The following fees shall be collected by the board and shall be credited to the Veterinary Medical Board Contingent Fund:

(a) The veterinarian license application fee shall be three hundred sixty dollars (\$360).



- (b) The Veterinary Medicine Practice Act course fee shall be set by the board in an amount it determines reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed one hundred dollars (\$100).
- (c) The initial veterinarian license fee shall be set by the board not to exceed five hundred dollars (\$500)
- (d) The biennial veterinarian license renewal fee shall be five hundred thirty dollars (\$530).
- (e) The university license application fee shall be three hundred fifty dollars (\$350).
- (f) The initial university license fee shall be five hundred dollars (\$500).
- (g) The biennial university license renewal fee shall be five hundred dollars (\$500).
- (h) The delinquency fee for licenses and registrations shall be fifty dollars (\$50).
- (i) The fee for issuance of a duplicate license, registration, or permit shall be twenty-five dollars (\$25).
- (j) Any charge made for duplication or other services shall be set at the cost of rendering the service, except as specified in subdivision (i).
- (k) The fee for failure to report a change in the mailing address shall be twenty-five dollars (\$25).
- (l) The initial veterinary premises registration fee shall be five hundred dollars (\$500).
- (m) The annual veterinary premises registration renewal fee shall be five hundred twenty-five dollars (\$525).
- (n) The registered veterinary technician application fee shall be two hundred twenty-five dollars (\$225).
- (o) The initial registered veterinary technician registration fee shall be two hundred twenty-five dollars (\$225).
- (p) The biennial registered veterinary technician renewal fee shall be two hundred twenty-five dollars (\$225).
- (q) The veterinary assistant controlled substance permit application fee shall be one hundred dollars (\$100).
- (r) The biennial veterinary assistant controlled substance permit renewal fee shall be fifty dollars (\$50).
- (s) The veterinary assistant controlled substance permit delinquency fee shall be 50 percent of the renewal fee for such license in effect on the date of the renewal of the license, but not less than twenty-five dollars (\$25) nor more than one hundred fifty dollars (\$150).
- (t) The fee for filing an application for approval of a school or institution offering a curriculum for training registered veterinary technicians pursuant to Section 4843 shall be set by the board at an amount not to exceed three hundred dollars (\$300). The school or institution shall also pay for the actual costs of an onsite inspection conducted by the board pursuant to Section 2065.6 of Title 16 of the California Code of

Regulations, including, but not limited to, the travel, food, and lodging expenses incurred by an inspection team sent by the board.

(u) If the money transferred from the Veterinary Medical Board Contingent Fund to the General Fund pursuant to the Budget Act of 1991 is redeposited into the Veterinary Medical Board Contingent Fund, the fees assessed by the board shall be reduced correspondingly. However, the reduction shall not be so great as to cause the Veterinary Medical Board Contingent Fund to have a reserve of less than three months of annual authorized board expenditures. The fees set by the board shall not result in a Veterinary Medical Board Contingent Fund reserve of more than 10 months of annual authorized board expenditures.

**VETERINARY MEDICAL BOARD**  
**REVISED PROPOSED LEGISLATION**  
**LICENSING FEES AND EXPIRATION DATES**

Changes to the existing statute are shown in single underline for new text and ~~single~~ ~~strikeout~~ for deleted text.

Section 4836.2 of the Business and Professions Code is amended to read:

**4836.2.** (a) Applications for a veterinary assistant controlled substance permit shall be upon a form furnished by the board.

~~(b) The fee for filing an application for a veterinary assistant controlled substance permit shall be set by the board in an amount the board determines is reasonably necessary to provide sufficient funds to carry out the purposes of this section, not to exceed one hundred dollars (\$100).~~ [Moved to Article 5. Revenue, new BPC section 4905(r), and set the fee per MDC recommendation.]

~~(c)~~ (e) The board may suspend or revoke the controlled substance permit of a veterinary assistant after notice and hearing for any cause provided in this subdivision. The proceedings under this section shall be conducted in accordance with the provisions for administrative adjudication in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein. The board may deny, revoke, or suspend a veterinary assistant controlled substance permit, or, subject to terms and conditions deemed appropriate by the board, issue a probationary veterinary assistant controlled substance permit, for any of the following reasons:

- (1) The employment of fraud, misrepresentation, or deception in obtaining a veterinary assistant controlled substance permit.
- (2) Chronic inebriety or habitual use of controlled substances.
- (3) The applicant or permitholder has been convicted of a state or federal felony controlled substance violation.
- (4) Violating or attempts to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter, or of the regulations adopted under this chapter.
- (5) Conviction of a crime substantially related to the qualifications, functions, or duties of veterinary medicine, veterinary surgery, or veterinary dentistry, in which case the record of the conviction shall be conclusive evidence.

~~(d)~~ (f) The board shall not issue a veterinary assistant controlled substance permit to any applicant with a state or federal felony controlled substance conviction.

~~(e)~~ (g) (1) As part of the application for a veterinary assistant controlled substance permit, the applicant shall submit to the Department of Justice fingerprint images and related information, as required by the Department of Justice for all veterinary assistant applicants, for the purposes of obtaining information as to the existence and content of

a record of state or federal convictions and state or federal arrests and information as to the existence and content of a record of state or federal arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance pending trial or appeal.

(2) When received, the Department of Justice shall forward to the Federal Bureau of Investigation requests for federal summary criminal history information that it receives pursuant to this section. The Department of Justice shall review any information returned to it from the Federal Bureau of Investigation and compile and disseminate a response to the board summarizing that information.

(3) The Department of Justice shall provide a state or federal level response to the board pursuant to paragraph (1) of subdivision (p) of Section 11105 of the Penal Code.

(4) The Department of Justice shall charge a reasonable fee sufficient to cover the cost of processing the request described in this subdivision.

(f) The board shall request from the Department of Justice subsequent notification service, as provided pursuant to Section 11105.2 of the Penal Code, for persons described in paragraph (1) of subdivision (e).

~~(g) This section shall become operative on July 1, 2015.~~ [Unnecessary; section already operative.]

Section 4836.3 of the Business and Professions Code is repealed:

~~**4836.3.** (a) Each person who has been issued a veterinary assistant controlled substance permit by the board pursuant to Section 4836.2 shall biennially apply for renewal of his or her permit on or before the last day of the applicant's birthday month. The application shall be made on a form provided by the board.~~ [Covered under proposed BPC section 4900(a-c).]

~~(b) The application shall contain a statement to the effect that the applicant has not been convicted of a felony, has not been the subject of professional disciplinary action taken by any public agency in California or any other state or territory, and has not violated any of the provisions of this chapter. If the applicant is unable to make that statement, the application shall contain a statement of the conviction, professional discipline, or violation.~~ [Covered under proposed BPC section 4900(c).]

~~(c) The board may, as part of the renewal process, make necessary inquiries of the applicant and conduct an investigation in order to determine if cause for disciplinary action exists.~~ [The Board already has authority to conduct investigations into convictions/discipline. This appears to give authorization to hold the renewal while the Board investigates. This is not the current process, nor should it be.]

~~(d) The fee for filing an application for a renewal of a veterinary assistant controlled substance permit shall be set by the board in an amount the board determines is reasonably necessary to provide sufficient funds to carry out the purposes of this section, not to exceed fifty dollars (\$50).~~ [Moved to Article 5. Revenue, new BPC section 4905(o), and set the fee per MDC recommendation.]

~~(e) This section shall become operative on the date Section 4836.2 becomes operative.~~  
[Unnecessary because both sections are already operative.]

Section 4842.5 of the Business and Professions Code is repealed:

~~4842.5. The amount of fees prescribed by this article is that fixed by the following schedule.~~ [This proposal moves all fee references to Article 5. Revenue.]

~~(a) The fee for filing an application for examination shall be set by the board in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purposes of this chapter, not to exceed three hundred fifty dollars (\$350).~~ [Moved to Article 5. Revenue, new BPC section 4905(o), and set the fee per MDC recommendation.]

~~(b) The fee for the California registered veterinary technician examination shall be set by the board in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purposes of this chapter, not to exceed three hundred dollars (\$300).~~ [AB 1535 strikes the California RVT examination.]

~~(c) The initial registration fee shall be set by the board at not more than three hundred fifty (\$350).~~ [Moved to Article 5. Revenue, new BPC section 4905(p), and set the fee per MDC recommendation.] ~~except that, if the license is issued less than one year before the date on which it will expire, then the fee shall be set by the board at not more than one hundred seventy five dollars (\$175). The board may adopt regulations to provide for the waiver or refund of the initial registration fee where the registration is issued less than 45 days before the date on which it will expire.~~ [No longer necessary with this proposal. All licenses would expire two years from the date of issuance.]

~~(d) The biennial renewal fee shall be set by the board at not more than three hundred fifty hundred twenty five dollars (\$350).~~ [Moved to Article 5. Revenue, new BPC section 4905(p), and set the fee per MDC recommendation.]

~~(e) The delinquency fee shall be set by the board at not more than fifty dollars (\$50).~~  
[Covered under new BPC section 4905(i).]

~~(f) Any charge made for duplication or other services shall be set at the cost of rendering the services.~~ [Covered under new BPC section 4905(j).]

~~(g) The fee for filing an application for approval of a school or institution offering a curriculum for training registered veterinary technicians pursuant to Section 4843 shall be set by the board at an amount not to exceed three hundred dollars (\$300). The school or institution shall also pay for the actual costs of an onsite inspection conducted by the board pursuant to Section 2065.6 of Title 16 of the California Code of Regulations, including, but not limited to, the travel, food, and lodging expenses incurred by an inspection team sent by the board.~~ [Moved to Article 5. Revenue, new BPC section 4905(r).]

~~(h) The fee for failure to report a change in the mailing address is twenty five dollars (\$25).~~ [Covered under new BPC section 4905(l).]

Section 4846.4 of the Business and Professions Code is repealed:

~~4846.4. (a) Each individual licensed by the board shall biennially apply for renewal of his or her license or registration on or before the last day of the applicant's birthday month. The application shall be made on a form provided by the board.~~ [Covered under proposed BPC section 4900(a)]

~~(b) The application shall contain a statement to the effect that the applicant has not been convicted of a felony, has not been the subject of professional disciplinary action taken by any public agency in California or any other state or territory, and has not violated any of the provisions of this chapter. If the applicant is unable to make that statement, the application shall contain a statement of the conviction, professional discipline, or violation.~~ [Covered under proposed BPC section 4900(c)]

~~(c) The board may, as part of the renewal process, make necessary inquiries of the applicant and conduct an investigation in order to determine if cause for disciplinary action exists.~~ [The Board already has authority to conduct investigations into convictions/discipline. This appears to give authorization to hold the renewal while the Board investigates. This is not the current process, nor should it be.]

Section 4853.1 of the Business and Professions Code is amended to read:

4853.1. (a) Each application to register a premise pursuant to Section 4853 shall be made on a form provided by the board. ~~An application for renewal of that registration shall be made annually.~~ [Covered under proposed BPC section 4900(c)]

~~(b) The application shall contain a statement to the effect that the applicant has not been convicted of a felony, has not been the subject of professional disciplinary action taken by any public agency in California or any other state or territory, and has not violated any of the provisions of this chapter. If the applicant is unable to make that statement, the application shall contain a statement of the conviction, professional discipline, or violation.~~ [Per AB 2138, cannot ask this on initial license; the ability to ask this on renewal is covered under proposed BPC section 4900(c)]

~~(c) The board may, as part of the renewal process, make necessary inquiries of the applicant and conduct an investigation in order to determine if cause for disciplinary action exists.~~ [The Board already has authority to conduct investigations into convictions/discipline. This appears to give authorization to hold the renewal while the Board investigates. This is not the current process, nor should it be.]

Section 4900 of the Business and Professions Code is amended to read:

**4900.** (a) All veterinary licenses, ~~and veterinary technician registrations, and veterinary assistant controlled substance permits~~ shall expire at 12 midnight of the last day of the birth month of the licensee or registrant in which the license was issued during the

second year of a two-year term if not renewed. [This ensures all initial licenses, registrations, and permits are good for two years.]

(b) ~~The board shall establish by regulation procedures for the administration of a birth date renewal program, including, but not limited to, the establishment of a system of staggered license and registration expiration dates and a pro rata formula for the payment of renewal fees by veterinarians and registered veterinary technicians affected by the implementation of the program.~~ [The Board never established this regulation. However, this section is unnecessary, because this proposal ensures all licenses, registrations, and VACSPs are good for two years from the date of issuance] All premises registrations shall expire annually at 12 midnight of the last day of the month in which the license was issued, unless renewed. [Currently, there is no statute that clearly state when premises registrations expire.]

(c) ~~To renew an unexpired license, or registration, or permit, the licensee, or registrant, or permit holder shall, on or before the date of expiration of the license or registration, apply for renewal on a form provided by the board, accompanied by the prescribed renewal fee. The renewal application shall contain a statement to the effect that the applicant has not been convicted of a felony or misdemeanor, has not been the subject of professional disciplinary action taken by any public agency in California or any other state or territory, and has not violated any of the provisions of this chapter. If the applicant is unable to make that statement, the application shall contain a statement of the conviction, professional discipline, or violation.~~ [This provision combines into one section the current duplicative requirements for licensees (see BPC section 4846.4(b)), premises registrations (see BPC section 4853.1(b)), and VACSP (see BPC section 4836.3(b)).]

(d) ~~Renewal under this section shall be effective on the date on which the application is filed, on the date on which the renewal fee is paid, or on the date on which the delinquency fee, if any, is paid, whichever occurs last. If so renewed, the license or registration shall continue in effect through the expiration date provided in this section which next occurs after the effective date of the renewal, when it shall expire, if it is not again renewed.~~ [This section is obsolete.] Each licensee, registrant, and permit holder who has an electronic mail address shall report to the board that electronic mail address during the time of renewal and attest that the electronic mail address and address of record is current and valid. The electronic mail address shall be considered confidential and not subject to public disclosure. [The electronic mail address was taken, in part, from MBC's requirement (see BPC section 2021(d)). MBC requires licensees to provide it by a specific date, but I think we can roll it into renewal. MBC also had a cumbersome verification process, but this proposal leaves it up to the licensee to verify at time of renewal.]

Section 4905 of the Business and Professions Code is amended to read:

**4905.** The following fees shall be collected by the board and shall be credited to the Veterinary Medical Board Contingent Fund:

(a) ~~The veterinarian license application fee for filing an application for examination shall be set by the board in an amount it determines is reasonably necessary to provide~~

~~sufficient funds to carry out the purpose of this chapter, not to exceed three hundred fifty dollars (\$350).~~ [This does not increase the fee, since the renewal fee is already at the \$350 cap.]

~~(b) The fee for the California state board examination shall be set by the board in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed three hundred fifty dollars (\$350).~~ [The Board voted to eliminate the CSBE.]

~~(be) The fee for the Veterinary Medicine Practice Act examination course~~ [Per OPES recommendation to not call this an examination.] ~~fee~~ shall be set by the board in an amount it determines reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed one hundred dollars (\$100).

~~(cd) The initial veterinarian license fee shall be set by the board not to exceed five hundred dollars (\$500) except that, if the license is issued less than one year before the date on which it will expire, then the fee shall be set by the board not to exceed two hundred fifty dollars (\$250). The board may, by appropriate regulation, provide for the waiver or refund of the initial license fee where the license is issued less than 45 days before the date on which it will expire.~~ [This no longer would be necessary, since all licenses would be issued for two years.]

~~(de) The biennial veterinarian license renewal fee shall be set by the board for each biennial renewal period in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed five hundred dollars (\$500).~~ [This does not increase the fee, since the renewal fee is already at the \$500 cap.]

~~(f) The temporary license fee shall be set by the board in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed two hundred fifty dollars (\$250).~~ [The Board approved eliminating the temporary license.]

~~(eg) The fee for filing an university license application fee for a university license shall be one hundred twenty five dollars (\$125), which may be revised by the board in regulation but shall not exceed three hundred fifty dollars (\$350).~~ [Making verbiage consistent with all other fees. The current fee in regulation is already \$350.]

~~(fh) The initial university license fee for a university license shall be two hundred ninety dollars (\$290), which may be revised by the board in regulation but shall not exceed five hundred dollars (\$500).~~ [Making verbiage consistent with all other fees. The current fee in regulation is already \$500.]

~~(gi) The biennial university license renewal fee for a university license shall be two hundred ninety dollars (\$290), which may be revised by the board in regulation but shall not exceed five hundred dollars (\$500).~~ [Making verbiage consistent with all other fees. The current fee in regulation is already \$500.]

~~(hj) The delinquency fee for licenses and registrations shall be set by the board, not to exceed fifty dollars (\$50).~~ [This section already applied to licenses and premises registrations. RVT delinquency fee conforms to existing BPC section 4842.5(e). There is currently no delinquency fee for VACSPs, so it reverts to BPC section 163.5 (see new 4905(t)).]



(ik) The fee for issuance of a duplicate license, registration, or permit shall be is twenty-five dollars (\$25). [This section has historically already applied to all licenses, registrations, and permits. This is added for clarification.]

(jt) Any charge made for duplication or other services shall be set at the cost of rendering the service, except as specified in subdivision (jk).

(~~km~~) The fee for failure to report a change in the mailing address shall be is twenty-five dollars (\$25).

(~~ln~~) The initial and annual renewal fees for registration of veterinary premises registration fee shall be set by the board in an amount not to exceed fourfive hundred dollars (~~\$400~~500) annually. [Per MDC recommendation.]

(m) The annual veterinary premises registration renewal fee shall be five hundred twenty-five dollars (\$525). [Per MDC recommendation.]

(n) The registered veterinary technician application fee shall be two hundred twenty-five dollars (\$225). [Per MDC recommendation.]

(o) The initial registered veterinary technician registration fee shall be two hundred twenty-five dollars (\$225). [Per MDC recommendation.]

(p) The biennial registered veterinary technician renewal fee shall be two hundred twenty-five dollars (\$225). [Per MDC recommendation.]

(q) The veterinary assistant controlled substance permit application fee shall be one hundred dollars (\$100). [Copied from BPC section 4836.2(b)]

(r) The veterinary assistant controlled substance permit fee shall be one hundred dollars (\$100). [Adds initial permit fee. All other applicants are required to pay an application fee and an initial license/registration fee. The VACSP Program requires more workload than initially anticipated when the Program was created due to the high number of applicant criminal convictions to be investigated. Adding the initial VACSP fee and increasing the renewal fee will ensure other licensees are not absorbing the costs of implementing the VACSP Program]

(s) The biennial veterinary assistant controlled substance permit renewal fee shall be fifty dollars one hundred (\$50 100). [Conforms to BPC section 4836.3(a), (d). The VACSP Program requires more workload than initially anticipated when the Program was created due to the high number of applicant criminal convictions to be investigated. Adding the initial VACSP fee and increasing the renewal fee will ensure other licensees are not absorbing the costs of implementing the VACSP Program. In addition, the Board was unable to increase the VACSP fees by regulation when all other fees were increased, because they were already at the statutory cap. Increasing the VACSP renewal fee allows the Board to not increase the veterinarian license fees again and more proportionately distributes the impact to all licensees.]

(t) The veterinary assistant controlled substance permit delinquency fee shall be 50 percent of the renewal fee for such license in effect on the date of the renewal of the license, but not less than twenty-five dollars (\$25) nor more than one hundred fifty dollars (\$150). [Copied from BPC section 163.5]

(u) The fee for filing an application for approval of a school or institution offering a curriculum for training registered veterinary technicians pursuant to Section 4843 shall

be set by the board at an amount not to exceed three hundred dollars (\$300). The school or institution shall also pay for the actual costs of an onsite inspection conducted by the board pursuant to Section 2065.6 of Title 16 of the California Code of Regulations, including, but not limited to, the travel, food, and lodging expenses incurred by an inspection team sent by the board. [Copied from BPC section 4842.5(g)]

(~~y~~) If the money transferred from the Veterinary Medical Board Contingent Fund to the General Fund pursuant to the Budget Act of 1991 is redeposited into the Veterinary Medical Board Contingent Fund, the fees assessed by the board shall be reduced correspondingly. However, the reduction shall not be so great as to cause the Veterinary Medical Board Contingent Fund to have a reserve of less than three months of annual authorized board expenditures. The fees set by the board shall not result in a Veterinary Medical Board Contingent Fund reserve of more than 10 months of annual authorized board expenditures.

VETERINARY MEDICAL BOARD  
**REVISED** LEGISLATIVE PROPOSAL  
LICENSING FEES AND EXPIRATION DATES  
AMENDED STATUTES, IF ENACTED

**Business and Professions Code**

**4836.2.** (a) Applications for a veterinary assistant controlled substance permit shall be upon a form furnished by the board.

(b) The board may suspend or revoke the controlled substance permit of a veterinary assistant after notice and hearing for any cause provided in this subdivision. The proceedings under this section shall be conducted in accordance with the provisions for administrative adjudication in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein. The board may deny, revoke, or suspend a veterinary assistant controlled substance permit, or, subject to terms and conditions deemed appropriate by the board, issue a probationary veterinary assistant controlled substance permit, for any of the following reasons:

(1) The employment of fraud, misrepresentation, or deception in obtaining a veterinary assistant controlled substance permit.

(2) Chronic inebriety or habitual use of controlled substances.

(3) The applicant or permitholder has been convicted of a state or federal felony controlled substance violation.

(4) Violating or attempts to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter, or of the regulations adopted under this chapter.

(5) Conviction of a crime substantially related to the qualifications, functions, or duties of veterinary medicine, veterinary surgery, or veterinary dentistry, in which case the record of the conviction shall be conclusive evidence.

(c) The board shall not issue a veterinary assistant controlled substance permit to any applicant with a state or federal felony controlled substance conviction.

(d) (1) As part of the application for a veterinary assistant controlled substance permit, the applicant shall submit to the Department of Justice fingerprint images and related information, as required by the Department of Justice for all veterinary assistant applicants, for the purposes of obtaining information as to the existence and content of a record of state or federal convictions and state or federal arrests and information as to the existence and content of a record of state or federal arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance pending trial or appeal.

(2) When received, the Department of Justice shall forward to the Federal Bureau of Investigation requests for federal summary criminal history information that it receives pursuant to this section. The Department of Justice shall review any information returned to it from the Federal Bureau of Investigation and compile and disseminate a response to the board summarizing that information.

(3) The Department of Justice shall provide a state or federal level response to the board pursuant to paragraph (1) of subdivision (p) of Section 11105 of the Penal Code.

(4) The Department of Justice shall charge a reasonable fee sufficient to cover the cost of processing the request described in this subdivision.

(e) The board shall request from the Department of Justice subsequent notification service, as provided pursuant to Section 11105.2 of the Penal Code, for persons described in paragraph (1) of subdivision (e).

**4853.1.** (a) Each application to register a premise pursuant to Section 4853 shall be made on a form provided by the board.

**4900.** (a) All veterinary licenses, veterinary technician registrations, and veterinary assistant controlled substance permits shall expire at 12 midnight of the last day of the month in which the license was issued during the second year of a two-year term if not renewed.

(b) All premises registrations shall expire annually at 12 midnight of the last day of the month in which the license was issued, unless renewed.

(c) To renew an unexpired license, ~~or~~ registration, or permit, the licensee, ~~or~~ registrant, or permit holder shall, on or before the date of expiration of the license or registration, apply for renewal on a form provided by the board, accompanied by the prescribed renewal fee. The renewal application shall contain a statement to the effect that the applicant has not been convicted of a felony or misdemeanor, has not been the subject of professional disciplinary action taken by any public agency in California or any other state or territory, and has not violated any of the provisions of this chapter. If the applicant is unable to make that statement, the application shall contain a statement of the conviction, professional discipline, or violation.

(d) Each licensee, registrant, and permit holder who has an electronic mail address shall report to the board that electronic mail address during the time of renewal and attest that the electronic mail address and address of record is current and valid. The electronic mail address shall be considered confidential and not subject to public disclosure.

**4905.** The following fees shall be collected by the board and shall be credited to the Veterinary Medical Board Contingent Fund:

(a) The veterinarian license application fee shall be three hundred fifty dollars (\$350).

- (b) The Veterinary Medicine Practice Act course fee shall be set by the board in an amount it determines reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed one hundred dollars (\$100).
- (c) The initial veterinarian license fee shall be set by the board not to exceed five hundred dollars (\$500)
- (d) The biennial veterinarian license renewal fee shall be five hundred dollars (\$500).
- (e) The university license application fee shall be three hundred fifty dollars (\$350).
- (f) The initial university license fee shall be five hundred dollars (\$500).
- (g) The biennial university license renewal fee shall be five hundred dollars (\$500).
- (h) The delinquency fee for licenses and registrations shall be fifty dollars (\$50).
- (i) The fee for issuance of a duplicate license, registration, or permit shall be twenty-five dollars (\$25).
- (j) Any charge made for duplication or other services shall be set at the cost of rendering the service, except as specified in subdivision (i).
- (k) The fee for failure to report a change in the mailing address shall be twenty-five dollars (\$25).
- (l) The initial veterinary premises registration fee shall be five hundred dollars (\$500).
- (m) The annual veterinary premises registration renewal fee shall be five hundred twenty-five dollars (\$525).
- (n) The registered veterinary technician application fee shall be two hundred twenty-five dollars (\$225).
- (o) The initial registered veterinary technician registration fee shall be two hundred twenty-five dollars (\$225).
- (p) The biennial registered veterinary technician renewal fee shall be two hundred twenty-five dollars (\$225).
- (q) The veterinary assistant controlled substance permit application fee shall be one hundred dollars (\$100).
- (r) The veterinary assistant controlled substance permit shall be one hundred dollars (\$100).
- (s) The biennial veterinary assistant controlled substance permit renewal fee shall be one hundred dollars (\$100).
- (t) The veterinary assistant controlled substance permit delinquency fee shall be 50 percent of the renewal fee for such license in effect on the date of the renewal of the license, but not less than twenty-five dollars (\$25) nor more than one hundred fifty dollars (\$150).
- (u) The fee for filing an application for approval of a school or institution offering a curriculum for training registered veterinary technicians pursuant to Section 4843 shall be set by the board at an amount not to exceed three hundred dollars (\$300). The

school or institution shall also pay for the actual costs of an onsite inspection conducted by the board pursuant to Section 2065.6 of Title 16 of the California Code of Regulations, including, but not limited to, the travel, food, and lodging expenses incurred by an inspection team sent by the board.

(v) If the money transferred from the Veterinary Medical Board Contingent Fund to the General Fund pursuant to the Budget Act of 1991 is redeposited into the Veterinary Medical Board Contingent Fund, the fees assessed by the board shall be reduced correspondingly. However, the reduction shall not be so great as to cause the Veterinary Medical Board Contingent Fund to have a reserve of less than three months of annual authorized board expenditures. The fees set by the board shall not result in a Veterinary Medical Board Contingent Fund reserve of more than 10 months of annual authorized board expenditures.