



MEMORANDUM

DATE	October 7, 2022
TO	Veterinary Medical Board (Board)
FROM	Jessica Sieferman, Executive Officer
SUBJECT	Agenda Item 9.C. Amend BPC Section 4861 to add Registered Veterinary Technician Member to Wellness Evaluation Committee

In recent recruitment efforts to solicit Wellness Evaluation Committee (WEC) applications for veterinarian and public member appointments, the Board received applications from registered veterinary technicians (RVT).

Pursuant to Business and Professions Code (BPC) Section [4861](#), the Board’s Wellness Evaluation Committee (WEC) is composed of three veterinarians and two public members. As such, RVTs cannot currently serve on the WEC. However, RVTs can participate in the Wellness Program.

Board staff believe the WEC and Wellness Program participants could benefit from an RVT’s perspective, and RVTs are interested in serving on the WEC. As such, Board staff recommend requesting the California State Legislature amend BPC section 4861 to add at least one RVT position to the WEC. In addition, Board staff recommend the appointment considerations included in BPC Section 4861, subdivision (a), be applicable to all members.

As such, Board staff prepared the attached legislative proposal for Board consideration.

Action Requested:

If the Board agrees with the attached legislative proposal, please consider a motion to approve submission of the legislative proposal to the California State Legislature to amend BPC section 4861.

Attachment:

1. Legislative Proposal to Amend Business and Professions Code Section 4861 Regarding Wellness Evaluation Committees

VETERINARY MEDICAL BOARD
LEGISLATIVE PROPOSAL TO AMEND BUSINESS AND PROFESSIONS CODE
SECTION 4861 REGARDING
WELLNESS EVALUATION COMMITTEES

Additions are indicated in blue underlined text; deletions are indicated in ~~red strikethrough text~~.

Amend Section 4861 of Article 3.5 of Chapter 11 of Division 2 of the Business and Professions Code as follows:

4861. (a) One or more wellness evaluation committees is hereby authorized to be established by the board. Each wellness evaluation committee shall be composed of ~~five~~ six persons appointed by the board. The board in making its appointments shall give consideration to recommendations of state and local associations and shall consider, among others, where appropriate, the appointment of individuals who have recovered from impairment or who have knowledge and expertise in the management of impairment.

(b) Each wellness evaluation committee shall have the following composition:

(1) Three veterinarians licensed under this chapter. ~~The board in making its appointments shall give consideration to recommendations of veterinary associations and local veterinary societies and shall consider, among others, where appropriate, the appointment of veterinarians who have recovered from impairment or who have knowledge and expertise in the management of impairment.~~

(2) Two public members.

(3) One registered veterinary technician registered under this chapter.

(c) Each person appointed to a wellness evaluation committee shall have experience or knowledge in the evaluation or management of persons who are impaired due to alcohol or drug abuse.

(d) It shall require the majority vote of the board to appoint a person to a wellness evaluation committee. Each appointment shall be at the pleasure of the board for a term not to exceed four years. In its discretion the board may stagger the terms of the initial members appointed.

(e) The board president may suspend any wellness evaluation committee member pending an investigation into allegations of existing alcohol or drug addiction. If, after investigation, there is evidence of an alcohol or drug addiction relapse, the board president shall have authorized discretion to remove the member without input from the board.

(f) The board may appoint a program director and other personnel as necessary to carry out this article.