



MEMORANDUM

DATE	October 6, 2023
TO	Multidisciplinary Advisory Committee (MDC)
FROM	Richard Sullivan, DVM Shelter Subcommittee (Subcommittee)
SUBJECT	Agenda Item 4. Consideration of Previously Approved Text to Adopt California Code of Regulations (CCR), Title 16, Sections 2030.6 and 2035.5 (Shelter Minimum Standards) and Update, Discussion, and Potential Recommendation to Combine Newly Proposed Text to Adopt CCR, Title 16, Section 2030.4 (Minimum Standards for Animal Shelter Premises) with Rulemaking to Amend CCR, Title 16, Sections 2030, 2030.05, 2030.2, and 2030.3, and Adopt 2030.15 (Minimum Standards for Alternative Veterinary Premises)

Background

Prior to 2015, the Veterinary Medical Board (Board) recognized many of the current minimum standards for animal premises were not applicable and/or were extremely difficult for animal shelter premises to comply with. In addition, the Board recognized the challenges shelters faced in obtaining a veterinarian to serve as a managing licensee of the shelter premises.

From 2015-2019, the Board held 15 public meetings to discuss these issues. These meetings included input from members of the public and stakeholders, including the California Animal Welfare Organization and the California Veterinary Medical Association (CVMA). In 2019, the Board approved a rulemaking proposal to adopt a new section (CCR § 2030.6), which copied the majority of existing law and either amended or removed some sections that the Board felt did not apply to shelters. In addition, the proposal added a section (CCR § 2035.5) specifying what animal health care tasks Registered Veterinary Technicians (RVT) and veterinary assistants or veterinary assistant controlled substance permit holders (VACSPs) could do under written protocols of a veterinarian. That proposal is attached for reference in Attachment 1. At the time of approval, 20 rulemaking packages were pending in the Board’s regulation queue.

Shortly after the proposal was approved, the shelter community raised concerns regarding the inability for some shelters, who only administer preventative or prophylactic nonprescription vaccinations, to comply with the regulation. As such, Assembly Bill [1535](#) (Committee on Business and Professions, Chapter 631, Statutes of 2021) created an exemption to the Veterinary Medicine Practice Act for individuals providing specified care to

animals lawfully deposit with or impounded by a shelter not registered with the Board (Business and Professions Code (BPC) § [4827\(a\)\(5\)](#)).

In January 2022, the Board's Regulations Counsel raised significant concerns with a similarly structured rulemaking package regarding minimum standards for alternate premises. The concerns primarily focused on the fact the proposals contained duplicative language to the existing minimum standards for fixed veterinary premises (CCR § [2030](#)). As such, the Board directed the MDC to restructure the minimum alternate veterinary premises and shelter rulemaking proposals to remove duplicative language and address concerns raised by the Board's Regulations Counsel.

As discussed in more detail in the Board's meeting materials for the Board's April 2023 meeting to initiate a rulemaking to revise and adopt minimum standards for alternate veterinary premises [here](#), the MDC worked with the Board's Regulations Counsel and stakeholders to restructure the proposal and remove duplicative language. The proposed rulemaking would make all veterinary premises subject to the new general minimum standards for veterinary premises. However, for each alternate veterinary premises, the proposed language included exemptions from the minimum standards appropriate to the veterinary premises type. The Board approved the proposal in Attachment 2 during its April 2023 meeting.

Update

Since the April 2023 meeting, the MDC Vice Chair, Board Vice President, Regulations Counsel, Executive Officer, and Board staff worked together to restructure the shelter premises proposal to mirror the approved minimum standards for alternate veterinary premises regulations in proposed CCR section 2030.4 (renumbered from 2030.6). During that time, Regulations Counsel raised concerns about the text proposed at CCR section 2035.5 involving clarity (including the meaning of the phrase "limited medical care," which is undefined – See Attachment 1) and involving lack of authority for the Board to essentially authorize delegation of discretion to the shelter premises to determine what "limited medical care" could be provided to animals by an R.V.T., unlicensed veterinary assistant or VACSP functioning under a veterinarian's protocols and procedures according to the particular needs of each shelter location. It was determined that piece of the shelter proposal would need to be removed.

On September 11, 2023, the MDC Vice Chair and Board Vice President held a stakeholder meeting with various members of the shelter community, including California Animal Welfare Association, and the CVMA. During that meeting, the stakeholders provided feedback and the regulatory proposal was amended accordingly. The MDC Vice Chair also requested that Regulations Counsel research the legal meaning of "impound" for the purposes of possibly further defining it in this proposal.

Regulations Counsel advises that she could find no definition for "impound" as it relates to animals in law or regulation in California. She located the statutes relating to impounding animals in shelters in the Food and Agricultural Code (see, for example Food & Agr. Code, § 31751.7 relating to impounding of cats) but those Code sections do not define "impound." However, the dictionary definition of "impound" is:

- a: to shut up in or as if in a pound : CONFINE
 - b: to seize and hold in the custody of the law
 - c: to take possession of
- (“Impound.” Merriam-Webster.com Dictionary, Merriam-Webster, <https://www.merriam-webster.com/dictionary/impound>. Accessed 21 Sep. 2023.)

So, it appears that when using this word, California laws presume the ordinary meaning of the term. As a result, Regulations Counsel does not recommend adding a definition for “impound” to this proposal.

Subcommittee Recommendations

The Subcommittee is proposing the following language replace the prior text approved by the Board previously in Attachment 1 and for the following reasons:

Subsection (a): This subsection would adopt a new definition of “animal shelter premises” which is proposed to be defined as a building or portions thereof where veterinary services are being provided to animals impounded by a privately or publicly operated agency or organization, and does not meet the exception criteria pursuant to paragraph (5) of subdivision (a) of Section 4827 of the code.

Rationale: The definition includes all shelter premises that provide veterinary services to impounded animals. It also recognizes that for purposes of inspection, the “premises” may be part of the building because the shelter will also have the responsibility of impounding and boarding animals which are not part of the hospital portion of the building where veterinary services typically are provided. It also includes both privately and publicly operated agencies to provide notice to the regulated community regarding who would be expected to comply with these requirements. This subsection also excludes those smaller rural facilities that are exempt from the regulation by paragraph (5) of BPC section 4827(a). This change is necessary for consistency with the Practice Act and to avoid confusion about whether these requirements apply to smaller, rural shelters exempt from this section by statute.

Subsection (b): This section would be added to specify that unless otherwise provided in this section or section 2030.3 (relating to standards for animal vaccination veterinary premises), animal shelter premises also providing veterinary services to privately owned animals that are not otherwise impounded (which would be covered under proposed subsection (c) explained below) shall meet all minimum standards specified in section 2030.

Rationale: Adoption of this standard is necessary to ensure that the minimum standards for a shelter that is providing veterinary services to the public must comply to Section 2030 to provide consumer protection at the same level as a non-shelter practice. The language description exceptions for shelters meeting certain standards (for animals impounded or providing post-adoption services as described in this section) and section 2030.3 (animal vaccination veterinary premises) help ensure that there is no confusion regarding which standards control when specified services to privately owned animals are provided.

Subsection (c): This section would establish that animal shelter premises providing

veterinary services solely to impounded animals shall meet all minimum standards specified in section 2030 except for paragraphs (3)(a reception room in office, or a combination of the two), (4)(an examination room separate from other areas of the premises and of sufficient size to accommodate the doctor, assistant, patient and client), and (5)(C)(requirement to post a sign for the public when there are no personnel during any time an animal is left at the veterinary premises).

Rationale: If a shelter is providing veterinary services to only impounded (seized, surrendered) animal patients there is not a need to have a separate “reception room and office or a combination of the two” since they are not receiving privately owned animal patients from the public for care. This means that there is not a “client” for these types of animals. As a result, a larger separate room to provide confidential client consultation is not needed. Since the requirement for posting a sign is intended to provide consumers with privately owned animals with this status information, and there is no “client” involved in this type of premises, this requirement would not be applicable to animal shelter premises.

Subsection (d): This proposal would require animal shelter premises providing only post adoption services to animals adopted from the same premises within thirty days of adoption to comply with the requirements for impounded animals in subsection (c).

Rationale: To ensure continuity of care in underserved communities and allow shelters to provide follow-up services for a limited duration of time (oftentimes at reduced costs to the consumer), this proposal would permit shelters meeting these requirements to comply with the more limited standards set forth in subsection (c) for thirty days post adoption. Any veterinary services provided beyond that timeframe would need to meet the minimum standards in Section 2030 as specified in subsection (b) of this proposal.

Action Requested:

The Subcommittee requests the MDC review the attached rulemaking proposal and entertain a motion to do all of the following:

Recommend to the Board approval of the proposed regulatory text and recommend all of the following actions be taken:

- (1) Rescind the prior 2019 motion approving proposed CCR sections 2030.6 and 2035.5 and approve the proposed regulatory text in Attachment 3.
- (2) Direct staff to submit the text in Attachments 2 and 3 as one proposal to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested.
- (3) If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations as noticed for California

Code of Regulations, title 16, sections 2030, 2030.05, 2030.1, 2030.15, 2030.2, and 2030.3 and 2030.4.

Attachments

1. Previously Approved Text to Adopt CCR, Title 16, Sections 2030.6 and 2035.5 (Shelter Minimum Standards)
2. Approved Regulatory Text to Amend CCR, Title 16, Sections 2030, 2030.05, 2030.1, 2030.2, and 2030.3 and adopt 2030.15
3. Proposed Regulatory Text to Adopt CCR, Title 16, Section 2030.4 Regarding Minimum Standards for Animal Shelter Premises

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

PROPOSED LANGUAGE

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

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

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

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

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

- (A) Each member of the surgical team shall put on an appropriate sanitary cap and sanitary mask that covers his or her hair and mouth, nose, and any facial hair, except for eyebrows or eyelashes. All members of the surgical team who will be handling the instruments or touching the surgical site shall wear sterilized surgical gowns with long sleeves and sterilized gloves.
- (B) Ancillary personnel in the surgery room shall wear clean clothing, footwear, sanitary cap, and mask.
- (s) When performing clean surgery, the instruments used to perform such surgery shall have been sterilized, and the surgeon(s) and ancillary personnel shall wear appropriate apparel. For purposes of this subsection, "clean surgery" shall mean the performance of a surgical procedure for the treatment of a condition and under circumstances that, consistent with the standards of good veterinary medicine, do not warrant the use of aseptic surgical procedures.

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

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

- (a) Notwithstanding subsection (c) of section 2035 and pursuant to subdivisions (a) and (b) of section 4840 of the code, limited medical care may be provided in a shelter setting by an R.V.T., VACSP holder, or veterinary assistant for the specific purpose of controlling infectious and zoonotic disease, controlling acute pain, and preventing environmental contamination if all the following are met:
 - (1) The supervising veterinarian has direct knowledge of the animal population and examines the animal(s) at such time as good veterinary medical practice requires consistent with the particular delegated animal health care tasks.
 - (2) The supervising veterinarian establishes written orders for:
 - (A) The indirect supervision of an R.V.T., VACSP holder, or veterinary assistant for vaccinations and prophylactic control of internal parasites and external parasites on intake.
 - (B) The indirect supervision of an R.V.T. for the treatment of clinical conditions based on an animal's symptoms.
 - (C) The direct supervision of a VACSP holder or veterinary assistant by an R.V.T. for the treatment of clinical conditions based on an animal's symptoms.
 - (3) Treatment rendered under paragraph (2) may be continued only under the direction of a licensed veterinarian.
- (b) Emergency animal care may be rendered by an R.V.T. pursuant to section 2069.
- (c) An R.V.T., VACSP holder, or veterinary assistant shall not diagnose, perform surgery, or prescribe pursuant to section 4840.2 of the code.
- (d) The supervising veterinarian shall maintain whatever physical presence is reasonable within the facility to ensure that the requirements in subsections (a) through(c) are met.

- (e) Animals that have been adopted and returned to the shelter by the owner for treatment of a medical condition shall be examined by a veterinarian prior to treatment or dispensing medication pursuant to section 2032.1, unless the care is continued treatment of an existing medical condition prior to the animal being adopted and the R.V.T. is following the treatment protocol established by the veterinarian.
- (f) For animals surrendered to a shelter with valid prescription medication, an R.V.T., VACSP holder, or veterinary assistant may continue administration of the prescription medication prior to veterinarian examination.
- (g) Rabies vaccines may be administered by an RVT, VACSP holder, or veterinary assistant to an owned animal upon redemption from an animal shelter and pursuant to the direct order, written order, or telephonic order of a veterinarian licensed in this state.

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

California Code of Regulations
Title 16. Professional and Vocational Regulations
Division 20. Veterinary Medical Board
Minimum Standards for Alternate Veterinary Premises

PROPOSED LANGUAGE

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

Amend sections 2030, 2030.05, 2030.1, 2030.2, and 2030.3 and adopt 2030.15 in Article 4 of Division 20 of Title 16 of the California Code of Regulations to read as follows:

§ 2030. Minimum Standards - ~~Fixed~~ Veterinary Premises.

(a) Unless otherwise specified in this article, all veterinary premises shall maintain the following minimum standards:

(1) All ~~fixed~~ veterinary premises where veterinary medicine and its various branches are being practiced, and all instruments, apparatus, and apparel used in connection with those practices, shall be kept clean and sanitary at all times, ~~and shall conform to or possess the following minimum standards:~~

(a2) Indoor lighting for ~~halls, wards, reception areas, examining and surgical rooms~~ shall be adequate for ~~their~~ its intended purpose.

(b3) A reception room and office, or a combination of the two.

(e4) An examination room separate from other areas of the ~~facility~~ veterinary premises and of sufficient size to accommodate the doctor, assistant, patient and client.

(d5) If animals are housed or retained for treatment, the following shall be provided:

(4A) Compartments for animals which are maintained in a comfortable and sanitary manner.

(2B) Effective separation of known or suspected contagious animals.

(3C) If there are to be no personnel on the veterinary premises during any time an animal is left at the veterinary ~~facility~~ premises, prior notice of this fact shall be given to the client. For purposes of this paragraph, prior notice may be accomplished by posting a sign in a place and manner conspicuous to the clients at the entrance of the veterinary premises, stating that there may be times when there are no personnel on the veterinary premises.

(6) When animals are kept at the veterinary premises for 24 hours or more, the animals shall be provided with an opportunity for proper exercise when medically appropriate. If exercise is medically appropriate, compliance with this paragraph shall be achieved by the use of exercise runs, exercise areas, or by providing the animal with the opportunity for outdoor walks. When determining whether exercise is medically appropriate, the veterinarian shall consider the following:

- (A) What exercise, if any, is appropriate for the particular species.
- (B) The animal's physical limitations or ability to be physically active without aggravating the animal's current medical injury, illness, surgical site, or condition.
- (C) The amount or duration of exercise considering the animal's current medical condition or post-operative care needs.

(7) The veterinary premises shall maintain a telephone number where clients are able to contact the veterinary premises with questions, concerns, or emergency needs. If a live person is not available to answer calls, the telephone line shall include a recorded message with information about hours of operation and a name, telephone number and location of a veterinary premises where after-hours emergency care is available.

~~(e8) When a veterinary premises is closed, a~~ A sign that is clearly readable and visible to the public in at least 20-point type shall be posted outside on or immediately adjacent to and visible outside the primary entrance with a hours of operation of the veterinary premises, and a name, telephone number and location of a veterinary premises where after-hours emergency care is available. An answering machine or service shall be used to notify the public when the veterinary premises will be re-opened and where after hours emergency care is available. If no after hours emergency care is available, full disclosure shall be provided to the public prior to rendering services.

~~(f) The veterinary premises shall meet the following standards:~~

~~(49)~~ Fire precautions shall meet the requirements of local and state fire prevention codes.

~~(210)~~ The facility veterinary premises, its temperature, and ventilation shall be maintained so as to assure the comfort of all patients.

~~(311)~~ The disposal of waste material shall comply with all applicable state, federal, and local laws and regulations.

~~(412)~~ The veterinary premises shall have the capacity to render diagnostic radiological services, either on the premises or through another veterinary premises or outside service other commercial facilities. Radiological procedures shall be conducted in accordance with Health and Safety Code standards.

~~(513)~~ Clinical pathology and histopathology diagnostic laboratory services shall be available within the veterinary premises or through another veterinary premises or outside services.

~~(614)~~ All drugs and biologicals shall be stored, maintained, administered, dispensed, and prescribed in compliance with state and federal laws.

~~(715)~~ Sanitary methods for the disposal of deceased animals shall be provided and maintained.

~~(816)~~ Veterinary medical equipment used to perform aseptic procedures shall be sterilized and maintained in a sterile condition.

~~(917)~~ Current veterinary reference materials shall be readily accessible to veterinary personnel available on the premises.

~~(1018)~~ Anesthetic equipment in accordance with the procedures performed shall be maintained in proper working condition and available at all times.

~~(11)~~ ~~The veterinary premises shall have equipment to deliver oxygen in emergency situations.~~

~~(1219)~~ Appropriate drugs and equipment shall be readily available to treat an animal emergency.

~~(20)~~ All floors, doors, table tops, counter tops, and window coverings shall be non-porous.

~~(g)~~ A veterinary premises ~~which~~that provides aseptic surgical services shall comply with the following:

(1) A room, separate and distinct from all other rooms shall be reserved for aseptic surgical procedures ~~which~~that require aseptic preparation. A veterinarian may perform emergency aseptic surgical procedures in another room when the room designated for aseptic surgery is occupied or temporarily unavailable.

~~(A) A veterinary premises which is currently registered with the board, but does not have a separate room reserved for aseptic surgical procedures, shall obtain compliance with this subdivision on or before January 1, 2014.~~

~~(BA)~~ The board may exempt a fixed veterinary premises ~~which~~that is currently registered with the board, but does not have a separate aseptic surgery room, where it determines that it would be a hardship for the veterinary premises to comply with the provisions of this ~~subdivision~~paragraph. In determining whether a hardship exists, the board shall give due consideration to the following factors:

4. ~~(l)~~ Zoning limitations.

~~2.~~ (II) Whether the premises constitutes a historical building.

~~3.~~ (III) Whether compliance with this requirement would compel the veterinary ~~practice~~ premises to relocate to a new location.

(2) Storage in the surgery room shall be limited to items and equipment normally related to aseptic surgery and surgical procedures. Equipment not normally related to surgery and surgical procedure includes, but is not limited to, equipment used for dental prophylaxis, autoclaves and non-surgical radiographic equipment.

(3) Open shelving is prohibited in the surgical room.

(4) The surgery room shall not contain a functional sink with an open drain.

(5) The doors into the surgery room must be able to be fully closed, fill the entire door space, be made of non-porous material and not provide access from outside the ~~hospital~~ veterinary premises. In cases where the size of the animal prevents entry to the ~~hospital~~ a fixed veterinary premises via a regularly-sized door, doors for outside access are permitted as long as such doors are able to be fully closed, fill the entire door space and be made of non-porous material.

(6) The surgery room shall be well lighted, shall have equipment for viewing radiographs and shall have effective emergency lighting with a viable power source.

~~(7) The floors, table tops, and counter tops of the surgery room shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.~~

~~(8)~~ (7) Surgical instruments and equipment shall be:

(A) Adequate for the type of surgical procedures performed.

(B) Sterilized as required by the surgical procedure performed and instruments used.

~~(9)~~ (8) In any sterile procedure, a separate sterile pack shall be used for each animal.

~~(10)~~ (9) All instruments, packs and equipment that have been sterilized shall have an indicator that reacts to and verifies sterilization.

~~(11)~~ (10) The following attire shall be required for aseptic surgery:

(A) Each member of the surgical team shall put on an appropriate sanitary cap and sanitary mask ~~which that~~ which covers ~~his or her~~ their hair and mouth, nose and any facial hair, except for eyebrows or eyelashes. All members of the surgical team

who will be handling the instruments or touching the surgical site shall wear sterilized surgical gowns with long sleeves and sterilized gloves.

(B) Ancillary personnel in the surgery room shall wear clean clothing, footwear, sanitary cap and mask.

(h~~c~~) When performing clean surgery, the instruments used to perform such surgery shall have been sterilized and the surgeon(s) and ancillary personnel shall wear clean clothing and footwear when appropriate.

(d) For purposes of this section, “clean surgery” shall mean the performance of a surgical operation for the treatment of a condition and under circumstances which, consistent with the standards of good veterinary medicine, do not warrant the use of aseptic surgical procedures.

Note: Authority cited: Sections 4808 and 4854, Business and Professions Code. Reference: Sections 4853, 4854, and 4883, Business and Professions Code.

§ 2030.05. Minimum Standards - Licensee Manager.

(a) A Licensee Manager is the California licensed veterinarian named as the Licensee Manager on a facility's veterinary premises permit registration.

(b) The Licensee Manager is responsible for ensuring that the premises for which ~~he/she is~~ they are manager complies with the requirements in sections 4853, 4854, 4855, and 4856 of the ~~Business and Professions Code, Division 2, Chapter 11, Article 3~~ code. The Licensee Manager is responsible for ensuring that the physical and operational components of a premises meet the minimum standards of practice as set forth in sections 2030 through 2032.5 of the California Code of Regulations, Title 16, Division 20, Article 4.

(c) The Licensee Manager is responsible for ensuring that no unlicensed activity is occurring within the premises or in any location where any function of veterinary medicine, veterinary surgery or veterinary dentistry is being conducted off the veterinary premises under the auspices of this veterinary premises licenseregistration.

(d) The Licensee Manager shall maintain whatever physical presence is reasonable within the ~~facility~~ veterinary premises to ensure that the requirements in subsections (a) – through (c) are met.

(e) Each licensed veterinarian shall be responsible for their individual violations of the Veterinary Medicine Practice Act or any regulation adopted thereunder.

Note: Authority cited: Sections 4808 and 4854, Business and Professions Code. Reference: Sections 4853, 4854, 4855, 4856, and 4883, Business and Professions Code.

§ 2030.1. Minimum Standards - Small Animal Fixed Veterinary Premises.

For purposes of these rules and regulations, a “small animal fixed veterinary premises” shall mean a ~~fixed veterinary premises which concentrates in providing~~ building where veterinary services are being provided to common domestic household ~~pets~~ animals. ~~In addition to the requirements in section 2030,~~ A small animal fixed veterinary premises shall provide meet the following minimum standards:

~~(a) Where animals are kept on the veterinary premises for 24 hours or more, the animals shall be provided with an opportunity for proper exercise. Compliance with this section may be achieved by the use of exercise runs or by providing the animal with the opportunity for outdoor walks. Where a premises has exercise runs, they shall be clean and sanitary and provide for effective separation of animals and their waste products.~~

(a) All minimum standards specified in section 2030.

~~(b) When the client has not given the veterinarian authorization to dispose of his or her~~ their deceased animal, the veterinarian shall be required to retain the carcass~~body~~ in a freezer for at least 14 days prior to disposal.

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

§ 2030.15 Minimum Standards – Large Animal Fixed Veterinary Premises.

For purposes of these regulations, a “large animal fixed veterinary premises” shall mean a building where veterinary services are being provided to equines, or food animals and livestock as defined in section 4825.1 of the code. A large animal fixed premises shall meet all minimum standards specified in section 2030, except for paragraph (10) of subsection (a) of that section.

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

§ 2030.2. Minimum Standards - Small Animal Mobile Clinic~~Veterinary Premises.~~

For purposes of these regulations, a “~~small animal mobile clinic~~veterinary premises” shall mean a ~~trailer or mobile facility established to function as a veterinary premises which concentrates in providing unit or vehicle within or from which veterinary services are being provided. to common domestic household pets and is required by section 4853 of the code to be registered with the board.~~ A mobile veterinary premises shall meet the minimum standards in this section as applicable.

(a) ~~A small animal mobile clinic shall have:~~ A mobile veterinary premises shall provide a written disclosure in at least 18 point type to each client at the time veterinary services are first provided. If any changes to the information required in the written disclosure occur after initial services are provided, the mobile veterinary premises shall provide a new written disclosure to the client that complies with the requirements of this subsection the next time veterinary services are provided. The written disclosure shall include the following:

(1) the telephone number where clients are able to contact the mobile veterinary premises with questions, concerns, or emergency needs.

(2) the hours of operation of the mobile veterinary premises.

(3) a name, telephone number, and location of a veterinary premises where after-hours emergency care is available.

~~(1) Hot and cold water.~~

~~(2) a 110-volt power source for diagnostic equipment.~~

~~(3) A collection tank for disposal of waste material.~~

~~(4) Lighting adequate for the procedures to be performed in the mobile clinic.~~

~~(5) Floors, table tops, and counter tops shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.~~

~~(6) Compartments to transport or hold animals, if applicable.~~

~~(b) A small animal mobile clinic shall also have:~~

~~(1) indoor lighting for halls, wards, reception areas, examining and surgical rooms, which shall be adequate for its intended purpose.~~

~~(2) an examination room separate from other areas of the facility, which shall be of sufficient size to accommodate the doctor, assistant, patient and client.~~

~~(3) fire precautions that meet the requirements of local and state fire prevention codes,~~

~~(4) temperature and ventilation controls adequate to assure the comfort of all patients.~~

~~(5) A small animal mobile clinic which provides aseptic surgical services shall also have a room separate and distinct from other rooms, which shall be reserved for aseptic surgical procedures. Storage in the surgery room shall be limited to items and equipment normally related to surgery and surgical procedures. A veterinarian may perform emergency aseptic surgical procedures in another room when the room designated for aseptic surgery is occupied or temporarily unavailable. A small animal mobile clinic which provides aseptic surgical services and that is currently registered with the board, but does not have a separate room reserved for aseptic surgical procedures, shall provide the board with the vehicle identification number of the and obtain compliance with this subdivision on or before January 1, 2006.~~

~~(A) A small animal mobile clinic that provides aseptic surgery shall also have an examination area separate from the surgery room that is large enough to conduct an examination.~~

~~(c) A small animal mobile clinic shall have the ability and equipment to provide immediate emergency care at a level commensurate with the specific veterinary medical services it is providing.~~

~~(d) A small animal mobile clinic shall provide either after hours emergency services to its patients or, if no after hours emergency care is available, full disclosure to the public prior to rendering services.~~

~~(e) When veterinary services are provided within or from a mobile veterinary premises to common domestic household animals and the client has not given the veterinarian authorization to dispose of his or her their deceased animal, the veterinarian shall be required to retain the carcass/body in a freezer for at least 14 days prior to disposal.~~

~~(c) A mobile veterinary premises within which veterinary services are provided to common domestic household animals shall have a continuous supply of hot and cold running water and meet all minimum standards in section 2030, except for paragraphs (3) and (8) of subsection (a) of that section.~~

~~(d) A mobile veterinary premises from which veterinary services are provided to common domestic household animals at the location where the animals are housed by the client (commonly referred to as "house calls") shall meet all minimum standards in section 2030, except for paragraphs (3), (4), (8), (10), and (20) of subsection (a) of that section.~~

~~(e) A mobile veterinary premises from which veterinary services are provided to equines, and/or food animals and livestock as defined in subdivisions (c) and (d) of section 4825.1 of the code at the location where the animals are housed by the client (commonly referred to as "house calls" or "farm calls"), shall meet all minimum standards in section 2030, except for paragraphs (3), (4), (8), (10), (15), and (20) of subsection (a) of that section.~~

Note: Authority cited: Sections 4808 and 4854, Business and Professions Code. Reference: Sections 4853 and 4854, Business and Professions Code.

§ 2030.3. Minimum Standards - Small Animal Vaccination Clinic Veterinary Premises.

~~(a) The term~~For purposes of this section, an “small-animal vaccination clinic veterinary premises” shall mean a location a privately or publicly supported vaccination clinic where a veterinarian performs or designated veterinary personnel administers only vaccinations and/or immunizations against disease on multiple animals, and where the veterinarian or designated veterinary personnel may also perform preventative procedures for parasite control at a scheduled vaccination event.

(b) For purposes of this section, “designated veterinary personnel” means a registered veterinary technician, veterinary assistant, or veterinary assistant controlled substance permit holder supervised by the veterinarian.

(c) An animal vaccination veterinary premises shall meet the following minimum standards:

(1) All minimum standards specified in section 2030, except for paragraphs (3), (4), (8), (12), (13), (15), (16), and (18) of subsection (a) of that section.

(b2) A veterinarian must remain on site throughout the duration of a the scheduled vaccination clinic and must maintain responsibility for all medical decisions made event. The veterinarian is responsible for proper immunization and parasitic administration of vaccinations and preventative procedures for parasite control and the completeness of recommendations made to the public by the designated veterinary personnel~~paraprofessional staff that the veterinarian supervises or employs.~~ The veterinarian is responsible for consultation and referral of clients when disease is detected or suspected.

~~(c) The disposal of waste material shall comply with all applicable state, federal and local laws and regulations.~~

~~(d) All drugs and biologicals shall be stored, maintained, administered, dispensed and prescribed according to the manufacturer's recommendations and in compliance with state and federal laws.~~

~~(e) Lighting shall be adequate for the procedures to be performed in the vaccination clinic.~~

~~(f) Floors, table tops, and counter tops shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.~~

~~(g) Equipment shall be of the type and quality to provide for the delivery of vaccines and parasiticides in the best interest of the patient and with safety to the public.~~

(3h) Fresh, clean water shall be available for sanitizing and first aid. Disposable towels and soap shall be readily available.

~~(i) A vaccination clinic shall have the ability and equipment to provide immediate emergency care at a level commensurate with the specific veterinary medical services it is providing.~~

~~(j4) The vaccination clinic shall provide a legible list of the name, address, and hours of operation of all facilities that provide or advertise emergency services and, when applicable, the location of other clinics provided by the same entity on that day, that are located within a 30-minute or 30-mile radius. A written disclosure shall be provided to each client prior to or at the time services are provided in at least 18-point type and include the following:~~

~~(A) the telephone number where clients are able to contact the animal vaccination veterinary premises with questions, concerns, or emergency needs.~~

~~(B) the hours of operation of the animal vaccination veterinary premises.~~

~~(C) a name, telephone number, and location of a veterinary premises where after-hours emergency care is available.~~

~~(k) The vaccination clinic shall maintain all vaccination records for a minimum of three (3) years from the date of the vaccination.~~

~~(l) If any diagnostic tests are performed or dangerous drugs are provided, administered, prescribed or dispensed, then a valid veterinary-client-patient relationship must be established, including a complete physical exam and Medical Records as set forth in section 2032.3.~~

~~(5m) The veterinarian shall be identifiable to the public, including, but not limited to the posting of a copy of the veterinarian's license, as set forth in section 4850 of the codeBusiness and Professions Code.~~

Note: Authority cited: Sections 4808 and 4854, Business and Professions Code. Reference: Sections 4853, 4854, and 4883, Business and Professions Code.

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

PROPOSED LANGUAGE

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

§ 2030.4. Minimum Standards – Animal Shelter Premises

(a) For purposes of this section, “animal shelter premises” shall mean a building or portion(s) thereof where veterinary services are being provided to animals impounded by a privately or publicly operated agency or organization, and does not meet the exception criteria pursuant to paragraphs (4) and (5) of subdivision (a) of section 4827 of the code.

(b) Unless otherwise provided in this section or section 2030.3, animal shelter premises also providing veterinary services to privately owned animals that are not otherwise impounded shall meet all minimum standards specified in section 2030.

(c) Animal shelter premises providing veterinary services solely to impounded animals shall meet all minimum standards specified in section 2030 except for paragraphs (3), (4), and (5)(C) of subsection (a) of that section.

(d) Animal shelter premises providing only post adoption services to animals adopted from the same premises within thirty days of adoption shall comply with subsection (c).

Note: Authority cited: Sections 4808 and 4854, Business and Professions Code.
Reference: Sections 4853, 4854 and 4883, Business and Professions Code.