



MEMORANDUM

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| DATE | July 9, 2023 |
| TO | Veterinary Medical Board |
| FROM | Multidisciplinary Advisory Committee (MDC) Richard Sullivan, DVM, Chair |
| SUBJECT | Agenda Item 7.C. Recommendation on Legislative Proposal to Amend BPC Section 4809.7 Regarding Inspection Authority |

Part of the Veterinary Medical Board’s (Board) 2020-2024 Strategic Plan included a goal to evaluate the feasibility of the mandate in Business and Professions Code (BPC) section 4809.7 requiring the Board to inspect at least 20% of veterinary premises on an annual basis. As discussed in more detail [here](#), in 2022, the Subcommittee presented the history of the requirement, including the Board’s inability to ever meet the percent mandate due to insufficient funds, and the Subcommittee’s research on the comparison to all other state veterinary boards and Department of Consumer Affairs (DCA) entities inspection programs. The Subcommittee concluded the statutory inspection mandate was unrealistic and unattainable.

The Subcommittee noted the numerous process improvements the Board was implementing and discussed the \$600,000 grant the California Department of Technology awarded to the Board and the Board of Barbering and Cosmetology. This grant was for the development of a mobile inspection app, which was predicted to significantly streamline the inspection process for the inspectors and Board staff. The Subcommittee’s work was placed on hold until the various process improvements and the mobile inspection app was implemented.

The mobile inspection app is currently in development, and User Acceptance Testing is scheduled to begin in July. The app is scheduled to launch at the end of September 2024.

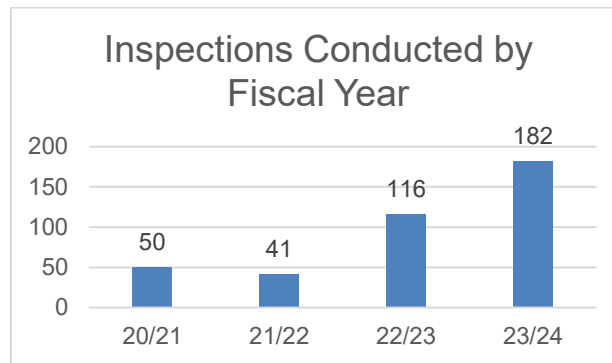
During the Board’s Strategic Planning Session in October 2023, the Board discussed the Subcommittee’s prior findings and decided to include the following objective in the Board’s 2024-2028 Strategic Plan:

4.4. Pursue legislation to remove the 20% Veterinary Premises Inspection Mandate.

The Board approved its 2024-2028 Strategic Plan during its April 2024 meeting. In June 2024, with the assistance of the DCA SOLID Training Services Unit, Board staff developed its action plan to implement the Strategic Plan.

The Board's Executive Officer met with the MDC Chair and Vice Chair to go over potential Subcommittee tasks and appointments. After careful consideration, the MDC Chair appointed Jeni Goedken, DVM, and Kristi Pawlowski, RVT, to the Subcommittee.

The Subcommittee met on June 25 to review the reports from the previous Subcommittee members and the progress the Board has made in inspections since the Inspection and Enforcement Units merged in fiscal year (FY) 2021/22 and various process improvements were implemented in FY 2022/23. As demonstrated below, when compared to the initial unit merge, the Board increased its inspections by 182% in FY 2022/23 and 343% in FY 2023/24.



The mobile inspection app, which is set to launch in September 2024, is expected to increase the number of inspections conducted as well. While this is significant improvement compared to prior years, it is still nowhere near the 20% inspection mandate set in BPC section 4809.7.

During its meeting, the Subcommittee also discussed the Board's Strategic Plan objective to remove the 20% mandate and the potential amendments to BPC section 4809.7. In addition to striking the percent mandate as the Board requested, the Subcommittee proposes adding "and announced" to the statute to clarify the Board performs both announced and unannounced inspections.

As such, the Subcommittee proposes the following amendment:

4809.7. The board shall establish a regular inspection program that will provide for random, unannounced and announced inspections of veterinary premises ~~and the board shall inspect at least 20 percent of veterinary premises on an annual basis.~~

To provide assurances to the public, the California State Legislature, and stakeholders that inspections of veterinary premises will continue to remain a priority and continue to be tracked, the Subcommittee is considering adding an inspection performance measure goal that will be regularly monitored and reported on at every Board meeting. The Subcommittee also will evaluate ways to prioritize random routine inspections (e.g., randomly selected from veterinary premises registered with the Board within the last year or those that have not been inspected within the last

five years). This information can be added to the Board's Sunset Review Report by the October 2024 meeting to further support the legislative proposal.

In addition, the Subcommittee has been assigned the following Strategic Plan Objectives:

- *Update the self-inspection checklist to help licensees remain in compliance with regulations. (Objective 3.7)*
- *Explore solutions to clarify the Board's authority to inspect boarding facilities. (Objective 4.8)*

Action Requested

If the Board agrees with the Subcommittee/MDC's legislative proposal recommendation, the Board is asked to entertain a motion to submit to the California State Legislature the above legislative proposal to amend BPC section 4809.7 regarding veterinary premises inspection authority.